

EXHIBIT 15

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ALLEN ROBINSON,)
)
Plaintiff,)
)
vs.) No. 2023 CV 002724
)
WAYNE FRANO, et al.,)
)
)
Defendants.)

The deposition of ALLEN ROBINSON, called by
the Defendant for examination, taken pursuant to notice
and pursuant to the Federal Rules of Civil Procedure for
the United States District Courts pertaining to the
taking of depositions, taken before Tara K. Stone,
Certified Shorthand Reporter, at 20 South Clark Street,
Suite 1700, Chicago, Illinois, commencing at 10:00 a.m.
on the 20th day of August, 2025.

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APPEARANCES:

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On behalf of the Plaintiff;
BORKAN & SCAHILL, LTD.
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On behalf of the Defendants.

ALSO PRESENT: Mr. Joshua Dominiak with Fortz Legal Support, LLC

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THE VIDEOGRAPHER: We are on the record at 10:02 a.m. as indicated on the video screen. Today's date is August 20th, 2025. We are here for the videotaped deposition of Allen Robinson. We are taking this deposition at the offices of Borkan and Scahill in Chicago, Illinois in the action entitled Allen Robinson versus Wayne Frano, et al. Case number 2023 CV 2724.

My name is Josh Dominiak. I'm from Fortz Legal Support, LLC. Will the court reporter please swear in the witness and the attorneys briefly identify themselves for the record and state whom they represent. Then we may proceed.

(Witness sworn.)

WHEREUPON:

ALLEN ROBINSON,
called as a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MS. ITCHHAPORIA:

Q. Can you please state and spell your name including your middle name for the record.

A. Allen, A L L E N, Darnell, D A R N E L L, Robinson, R O B I N S O N, Junior, J R.

MR. RAUSCHER: He -- He might want us to ...

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I N D E X

WITNESS

PAGE

ALLEN ROBINSON

Examination by Ms. Itchhaporia..... 4

E X H I B I T S

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THE VIDEOGRAPHER: Yeah, if you want to introduce yourselves. And, Misha, can you also put that mic on for me?

MS. ITCHHAPORIA: Oh, sure. Sorry. All right. Sorry. Yup. And this is Misha Itchhaporia, attorney for the defendant officers.

MR. BURNS: Good morning. Daniel Burns. Attorney for defendant, City of Chicago.

MR. RAUSCHER: I didn't know if the remote people wanted to introduce themselves.

Scott Rauscher for plaintiff, Allen Robinson.

MS. ITCHHAPORIA: And then we've got Drew -- Okay.

MR. WYCOFF: Drew Wycoff. One of the attorneys for -- for the defendant officers.

MS. ITCHHAPORIA: And then Carly is a -- a law student who is also joining from our office.

BY MS. ITCHHAPORIA:

Q. You said your full name is Allen Darnell Robinson, Junior?

A. Yes.

Q. Is that the name on your birth certificate?

A. Yes.

Q. Have you ever given a deposition before?

A. No.

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1 Q. Okay. I'm going to go over some of the ground
2 rules so you know what to expect here today. Okay?

3 I'm going to be asking you some questions and
4 it's important that you let me finish the entire
5 question before you respond so that we're not talking
6 over each other. Okay?

7 **A. Okay.**

8 Q. It's also important that you answer all the
9 questions verbally, that means out loud. No nods of the
10 head or shrugs of the shoulders because the court
11 reporter can't get that down. Okay?

12 **A. Okay.**

13 Q. And you're entitled to a question that you can
14 understand. So if, at any point in time, you don't
15 understand what I'm asking you, please let me know and
16 I'll do my best to rephrase. Otherwise, I'm going to
17 assume that you understood my question. Okay?

18 **A. Okay.**

19 Q. And if, at any point in time, you want to
20 take a break, that's absolutely fine. You can just let
21 us know that you want to take a break. The only thing I
22 ask is that you finish answering any pending question
23 before we take the break. Okay?

24 **A. Okay.**

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1 Q. Is there any reason whatsoever that you have a
2 problem understanding or answering questions today?

3 **A. No.**

4 Q. Okay. And I should also let you know that
5 from time to time, there may be objections from your
6 attorneys, from some of the other attorneys. There's no
7 judge here to rule on the objections, and you should
8 answer the questions unless your attorney tells you
9 otherwise. Okay?

10 **A. Okay.**

11 Q. Don't take offense to this, but are you under
12 the influence of any drugs or alcohol right now?

13 **A. No.**

14 Q. Any reason why you are not able to testify
15 truthfully today?

16 **A. No.**

17 Q. Did you review any materials to prepare for
18 your deposition today?

19 **A. Review materials? No.**

20 Q. Okay. You -- You hesitated when I said
21 materials.

22 Was -- Is that a confusing word?

23 **A. No, it was because I trying to see, like, what**
24 **do -- what, like, materials, like -- like, what is --**

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1 **yeah, I was trying to see, like -- I ain't see no**
2 **materials, though.**

3 Q. Okay. Did you look at any documents or videos
4 in preparation for your deposition today?

5 **A. No. No.**

6 Q. Okay. Did you look at any photographs?

7 **A. No.**

8 Q. Okay. Did you meet with your attorneys to
9 prepare for your deposition today?

10 **A. I met with them.**

11 Q. Yes? Okay.

12 How many times did you meet with your
13 attorneys to prepare for your deposition today?

14 **A. I met with them once.**

15 Q. Once. Okay.

16 And when did you meet?

17 **A. Probably like a week ago.**

18 Q. And who did you meet with?

19 **A. Scott and Josh.**

20 Q. And was that in person?

21 **A. Yes.**

22 Q. At the Loevy office?

23 **A. Yes.**

24 Q. And how long was your meeting?

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1 **A. Maybe like two hours.**

2 Q. And were you shown any documents during that
3 meeting?

4 **A. No.**

5 Q. Were you shown any videos during that meeting?

6 **A. No.**

7 Q. Did anybody else participate in that meeting
8 besides Scott and Josh?

9 **A. I think an assistant.**

10 Q. An assistant at Loevy?

11 **A. Yes.**

12 Q. Okay. Anybody else?

13 **A. No. No.**

14 Q. No? Okay.

15 And that -- was that the only time that you
16 met with your attorneys to prepare for your deposition?

17 **A. Yes.**

18 Q. Okay. Have you had any other, like, Zoom
19 meetings or phone calls to prepare for your deposition?

20 **A. No.**

21 Q. When you were incarcerated, did you have
22 access to any of the materials from your case?

23 MR. RAUSCHER: Object to form.

24

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1 BY THE WITNESS:

2 **A. Like statements.**

3 Q. Statements.

4 And when you say "statements," what do you
5 mean?

6 **A. Like, statements from, like -- this when I was**
7 **in -- I was already at Menard, something like that when**
8 **I had got all my, like -- my -- some of the stuff was**
9 **redacted and stuff and that nature like that from**
10 **Freedom of Information. That's pretty much ...**

11 Q. Okay. Did you have -- When you were
12 incarcerated or in prison or in jail, did you have
13 access to any of the police reports from your case?

14 **A. Probably the -- most -- the most, like, was**
15 **the statements that they took from people like that.**
16 **That's mainly it, but I ain't really have, like, the**
17 **whole discovery thing. No, I didn't have that.**

18 Q. Okay. You're saying you had, like,
19 handwritten or typed up statements from witnesses in
20 your case?

21 **A. From the Freedom of Information.**

22 Q. Okay. Did you put in a Freedom of Information
23 request?

24 **A. Yes.**

Page 11

1 Q. And who did you make that request to?

2 **A. The Freedom of Information.**

3 Q. Well, what agency did you make that request
4 to?

5 **A. I don't remember --**

6 Q. Okay.

7 **A. -- the exact name of it, but I know it's FOIA**
8 **or something like that. Freedom of Information.**

9 Q. Right. To make a Freedom of Information Act
10 request, did you address that request to the Chicago
11 Police Department?

12 **A. Yes, yes, yes, yes.**

13 Q. Okay. And then the Chicago Police Department
14 responded and you got statements from witnesses in your
15 case?

16 **A. Yes.**

17 Q. Okay. Do you remember how many statements you
18 got?

19 **A. I don't remember, but probably the main people**
20 **that was on there I think. Exactly I don't know. Yeah.**

21 Q. Okay. Mr. Robinson, you have a habit of kind
22 of trailing off. If you could just speak loud so --

23 **A. Okay. Yeah, yeah. Okay. I got you.**

24 Q. Okay. And we got the -- the air vent behind

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1 us, so it makes it a little difficult.

2 **A. Okay.**

3 Q. When did you make this FOIA request to CPD?

4 **A. I honestly don't know.**

5 Q. Okay. And you -- was it when you were in
6 Menard?

7 **A. Yes.**

8 Q. Okay. Did you make a FOIA request to any
9 other agency?

10 **A. No.**

11 Q. Did you have any -- When you were in -- either
12 in Cook County Jail or in prison, did you have access to
13 your transcripts from your criminal trial?

14 **A. Yes.**

15 Q. How did you get those?

16 **A. I think they was mailed to me through --**

17 Q. Who mailed them?

18 **A. -- my attorney.**

19 Q. Okay. Your attorney mailed you the
20 transcripts?

21 **A. Yes.**

22 Q. Okay. And was that also when you were at
23 Menard?

24 **A. Yes.**

Page 13

1 Q. And did you review those transcripts?

2 **A. Yes.**

3 Q. And did you review the statements that you got
4 from your FOIA request to CPD?

5 **A. Yes.**

6 Q. Okay. Accurate to say you probably reviewed
7 those transcripts and statements, you know, multiple
8 times?

9 **A. Yes.**

10 Q. Maybe hundreds of times?

11 **A. Yes.**

12 Q. Any other documents that you had relating to
13 your case when you were in prison?

14 **A. No.**

15 Q. Did you have any, like, court pleadings that
16 your attorney filed?

17 **A. No.**

18 Q. No. Okay.

19 What's your date of birth?

20 **A. [REDACTED]**

21 Q. And that makes you how old today?

22 **A. 37.**

23 Q. Born and raised in Chicago?

24 **A. Yes.**

Page 14

1 Q. Are you currently married?
 2 **A. No.**
 3 Q. You ever been married?
 4 **A. No.**
 5 Q. Any plans to get married?
 6 **A. If I find the right person.**
 7 Q. Find the right person.
 8 Are you currently in a relationship with
 9 anyone?
 10 **A. No.**
 11 Q. No.
 12 How many children do you have?
 13 **A. Four.**
 14 Q. Can you give me the names of your children
 15 starting with the eldest to the youngest?
 16 **A. My daughter, Alanae, A L A N A E, Robinson.**
 17 **She's 18. My son, Allen, III -- Allen Darnell Robinson,**
 18 **III. He's 16. Amarion Demetrius Robinson. He's 16.**
 19 **And my son, Amir Henderson. He's three months.**
 20 Q. Damir Henderson?
 21 **A. Amir.**
 22 Q. Amir --
 23 **A. A M I R.**
 24 Q. Okay.

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1 **A. A M I R.**
 2 Q. And he's three months old?
 3 **A. Yeah.**
 4 Q. Okay. Who's the mother of Alanae Robinson?
 5 **A. Jenee Moreland.**
 6 Q. Are you currently in a relationship with
 7 Jenee Moreland?
 8 **A. No.**
 9 Q. Who's the mother of Allen Darnell Robinson,
 10 III?
 11 **A. Shanice Johnson.**
 12 Q. Are you in a relationship with Shanice
 13 Johnson?
 14 **A. Nope. No.**
 15 Q. No.
 16 And then who's the mother of Amarion Demetrius
 17 Robinson?
 18 **A. Melissa Donaldson.**
 19 Q. Are you in a relationship with Melissa
 20 Donaldson?
 21 **A. No, she married.**
 22 Q. Okay. And then who's the mother of Amir
 23 Henderson?
 24 **A. Cierra Henderson. Cierra.**

Page 16

1 Q. Oh, it's Cierra?
 2 **A. Her name Cierra Henderson.**
 3 Q. Oh, Cierra. Okay.
 4 Oh, Cierra Henderson is the mom?
 5 **A. Of Amir, yeah.**
 6 Q. Yeah, okay.
 7 **A. Yeah.**
 8 Q. Are you in a relationship with Cierra
 9 Henderson?
 10 **A. No.**
 11 Q. Okay. So Amir Henderson was obviously born
 12 after you got released in 2022?
 13 **A. Yes.**
 14 Q. Okay. Were your other three children, were
 15 any of them born before you were arrested on this case
 16 in March of 2009?
 17 **A. Alanae. Alanae Robinson.**
 18 Q. Okay. And the other two, Allen and Amarion,
 19 were born when you were either in jail or prison?
 20 **A. Yes.**
 21 Q. How old was Alanae when you were arrested on
 22 this case in March 3rd, 2009?
 23 **A. Like two and a half years old.**
 24 Q. Okay. Do all your children live in Chicago?

Page 17

1 **A. Amarion live in Yorkville, but the rest live**
 2 **in Chicago.**
 3 Q. Where does he live, sir?
 4 **A. Yorkville, Illinois.**
 5 Q. Yorkville. Okay.
 6 Does Shanice Johnson also go by the nickname
 7 Mama J?
 8 **A. Yes.**
 9 Q. Is that how you refer to her, as Mama J?
 10 **A. No. I -- I call her MJ.**
 11 Q. MJ. Okay.
 12 So she goes by the nickname MJ or Mama J?
 13 **A. Yeah.**
 14 Q. Okay. And does she have any other children?
 15 **A. Yes.**
 16 Q. How many children does Mama J have?
 17 **A. One. Shynae Guyton.**
 18 Q. One other child besides Allen?
 19 **A. Yeah, she has --**
 20 Q. Okay.
 21 **A. -- a daughter.**
 22 Q. And the father of Shynae -- Shynae Guyton is
 23 Deandre Guyton. Is that right?
 24 **A. Yes.**

Page 18

1 Q. Okay.
 2 **A. Yes.**
 3 Q. And Deandre Guyton, you call him Dre?
 4 **A. Yeah. Yes.**
 5 Q. Deandre -- And Deandre Guyton, also known as
 6 Dre, he's a wi- -- he was a witness in your case.
 7 Right?
 8 **A. Yes.**
 9 Q. Did you and Deandre Guyton have a fight before
 10 December 2008 because you didn't get along?
 11 **A. Before 2008?**
 12 Q. Yeah.
 13 **A. No.**
 14 Q. You ever had a fight with Deandre Guyton?
 15 **A. No.**
 16 Q. And is it your understanding that Deandre
 17 Guyton's deceased?
 18 **A. Yes.**
 19 Q. Prior to your arrest in March of 2009, what
 20 was your relationship like with Deandre Guyton?
 21 **A. Didn't have one.**
 22 Q. Not friends?
 23 **A. No.**
 24 Q. Okay. What are the names of your parents?

Page 19

1 **A. LaTanya Fleming and Allen Robinson, Senior.**
 2 Q. And LaTanya Fleming lives in Chicago?
 3 **A. Yes.**
 4 Q. And what about Allen Robinson, Senior?
 5 **A. He live in Chicago, too.**
 6 Q. And do you have any siblings?
 7 **A. Yeah, I got a lot of siblings on my -- on**
 8 **my -- on my father's side.**
 9 Q. Okay.
 10 **A. I only have one sister on my mother's side.**
 11 Q. Is that Precious Robinson?
 12 **A. Yes.**
 13 Q. And how many siblings do you have on your
 14 father's side?
 15 **A. Maybe 13, 14.**
 16 Q. Okay.
 17 **A. Maybe -- Maybe it's 15 in all. Something like**
 18 **that.**
 19 Q. Any of them that you're close with?
 20 **A. Probably got a -- I got a relationship with I**
 21 **think majority of them.**
 22 Q. Okay. Would you say you're closest, though,
 23 to Precious Robinson out of all your siblings?
 24 **A. Precious and Aisha. Aisha Anderson.**

Page 20

1 Q. Aisha Anderson?
 2 **A. Like, yeah, because she, like, right up**
 3 **underneath.**
 4 Q. What do you mean by that?
 5 **A. Like, age-wise.**
 6 Q. Okay.
 7 **A. So she like -- probably like three years**
 8 **younger than me. Precious like seven, eight years**
 9 **younger than me.**
 10 Q. Okay. Where do you currently live?
 11 **A. Chicago.**
 12 Q. What's your address?
 13 **A. 1012 North Monitor.**
 14 Q. Is that an apartment?
 15 **A. Yes.**
 16 Q. Do you rent that?
 17 **A. No, I stay there with my mother.**
 18 Q. Does your mom own that or does she rent it?
 19 **A. I think it's like a family building, so I**
 20 **don't really know, like, they whole details of it. I**
 21 **think all of them went in on the building I think.**
 22 Q. So who else lives in the apartment with you
 23 and your mom?
 24 **A. Just me and her.**

Page 21

1 Q. Okay. Have you had any other residences since
 2 your release in 2022?
 3 **A. Yeah, I stayed -- right before we moved on**
 4 **Monitor -- before they bought the building on Monitor,**
 5 **we stayed 1644 North Long, Chicago, Illinois.**
 6 Q. Okay. And who were you living there with?
 7 **A. My mother, my grandmother, my auntie.**
 8 Q. What other family members live in the building
 9 at 1 -- at 1012 North Monitor?
 10 **A. My auntie Angie. She stayed on the first --**
 11 **second floor.**
 12 Q. Okay.
 13 **A. She still stay there now.**
 14 Q. So what -- for what period of time were you at
 15 1644 North Long?
 16 **A. From when I was released in May 2022 until --**
 17 **I don't know the exact day -- until 2023. I don't know**
 18 **the exact day. Maybe a year maybe. Maybe.**
 19 Q. And then sometime in 2023 you moved to
 20 1012 North Monitor with your mom?
 21 **A. Yes.**
 22 Q. Okay. No other addresses that you've lived at
 23 since your release in 2022?
 24 **A. No.**

Page 22

1 Q. Okay. Are you on any social media?
 2 **A. Yes.**
 3 Q. What social media do you have?
 4 **A. I be on Snap. Snapchat, TikTok. I be on -- I**
 5 **was -- Periodically, I was on Facebook. Sometimes**
 6 **Instagram. Oh, yeah. Instagram.**
 7 Q. Sometimes what?
 8 **A. Sometimes Instagram.**
 9 Q. Okay. What's your, like, handle on TikTok?
 10 **A. My name?**
 11 Q. Yeah.
 12 **A. I was on there Allen Robinson and you might**
 13 **see me as Alex Walker.**
 14 Q. Allen Walker?
 15 **A. Alex.**
 16 Q. Alex Walker.
 17 What does that mean, Alex Walker?
 18 **A. That was just a name.**
 19 Q. A name. Okay.
 20 What about on Snapchat? What's your name on
 21 that?
 22 **A. I think it was Baby AI 4835. That was one of**
 23 **my old addresses.**
 24 Q. And then Facebook?

Page 23

1 **A. Alex -- Facebook was Alex Walker.**
 2 Q. Oh, okay.
 3 And Instagram?
 4 **A. Instagram is Baby AI 5/10/22, the day I was**
 5 **released. Something like that.**
 6 Q. Baby AI is a nickname of yours?
 7 **A. Yes.**
 8 Q. And do people still call you BA?
 9 **A. Yes.**
 10 Q. How did you get that nickname?
 11 **A. My nick- -- The nickname Baby AI? That's from**
 12 **my auntie.**
 13 Q. From your auntie. Okay.
 14 So do -- do family members and friends call
 15 you Baby AI or Baby -- BA?
 16 **A. Yes. My mother -- Everybody calls me that**
 17 **pretty much. My mother, everybody.**
 18 Q. Your mom calls you Baby AI or BA?
 19 **A. Baby AI.**
 20 Q. Baby AI. Okay.
 21 Do people call you BA, though?
 22 **A. Some people -- Yeah, some people --**
 23 **Q. Okay.**
 24 **A. They shorten it up I guess.**

Page 24

1 Q. When did you get that nickname?
 2 **A. BA?**
 3 Q. Yeah.
 4 **A. Pretty much Baby AI. They'll say Baby AI or**
 5 **BA. It came all in the midst of my name.**
 6 Q. Okay. And your father, Allen Robinson Senior,
 7 he had siblings?
 8 **A. He had -- Yes.**
 9 Q. Okay. And he had -- he had a sister?
 10 **A. He got a couple sisters.**
 11 Q. Couple of sisters. Okay.
 12 One of his sisters has a son by the name of
 13 Lamarius Robinson. Right?
 14 **A. Yes.**
 15 Q. Who's the -- Who is your aunt that has the
 16 son --
 17 **A. Lisa -- Lisa.**
 18 Q. -- Lamarius?
 19 **A. Lisa.**
 20 Q. Lisa.
 21 And what's Lisa's last name?
 22 **A. I think it's -- I think she got both Robinson**
 23 **and Deer.**
 24 Q. Okay. Deer?

Page 25

1 **A. Yeah, Deer. Like, I think it's D E E R or**
 2 **something -- I think she spell it different than the**
 3 **regular Deer if I am mistaken. I might be wrong.**
 4 Q. So Lamarius Robinson is your first cousin?
 5 **A. Yes.**
 6 Q. And do you have a relationship with Lisa
 7 Robinson, your aunt?
 8 **A. Not -- I probably had one before I went to**
 9 **jail a little bit, but not since I been home.**
 10 Q. Okay. And Lamarius Robinson, do you call him
 11 Mardi or Mard or Mari?
 12 **A. I call him Mardi.**
 13 Q. Mar- -- Sorry?
 14 **A. Mardi.**
 15 Q. Mardi.
 16 Can you spell that?
 17 **A. M A R D I.**
 18 Q. D I. Okay.
 19 Have you heard people call him Mard or Mari,
 20 M A R I ?
 21 **A. Uh-huh.**
 22 Q. Is that a yes?
 23 **A. Yes.**
 24 Q. Is Lamarius older or younger than you?

Page 26

- 1 **A. Older.**
 2 Q. How many years older?
 3 **A. I think two.**
 4 Q. Do you know how he got the nickname Mardi?
 5 **A. The family.**
 6 Q. What's your grandmother's name?
 7 **A. Hattie.**
 8 Q. Hattie?
 9 **A. My Hattie. I got two grandmothers, so ...**
 10 Q. Okay. The one that you lived with at 6044
 11 North Long?
 12 **A. Oh, Hattie.**
 13 Q. Hattie. Okay.
 14 Does she currently live with you at 1012 North
 15 Monitor?
 16 **A. She passed away.**
 17 Q. Okay. I'm sorry to hear that.
 18 Is Hattie also Lamarius's grandmother?
 19 **A. Yes.**
 20 Q. Did you and Lamarius grow up together?
 21 **A. Yes.**
 22 Q. What was your relationship like in your
 23 teenage years with Lamarius?
 24 **A. We grew up as basically brothers.**

Page 27

- 1 Q. Did you guys go to the same school?
 2 **A. At one point in time, yes.**
 3 Q. What school was that?
 4 **A. Dvorak. Anton Dvorak.**
 5 Q. Is that a middle school?
 6 **A. Yes.**
 7 Q. But never in the same grade because he's
 8 older --
 9 **A. Yes.**
 10 Q. -- than you?
 11 **A. Yes, he older.**
 12 Q. How long did you guys go to the same school
 13 for?
 14 **A. Because I was going to one school, Ella**
 15 **Flagg Young, and then I transferred and went to Dvorak.**
 16 **So maybe I went from Dvorak from I'm gonna say probably**
 17 **like from fifth to seventh. Fourth or fifth to seventh**
 18 **grade, so I was in -- in that same school for whatever**
 19 **little period of time like that. Then I transferred**
 20 **back to Ella Flagg Young in eighth grade.**
 21 Q. So maybe like about two grades?
 22 **A. Yeah, two, three grades, yeah.**
 23 Q. Okay. And then would you and Lamarius, like,
 24 attend, like, holidays together?

Page 28

- 1 **A. All the time.**
 2 Q. When was the last time that you communicated
 3 with Lamarius?
 4 **A. Communicated with him? Probably when he came**
 5 **to see me in Cook County.**
 6 Q. When was that?
 7 **A. I was in Cook County from 2009 to 2011, so I**
 8 **guess within that little time frame.**
 9 Q. So you haven't communicated with him since
 10 either from 2009 to 2011?
 11 **A. That's it.**
 12 Q. Have you seen him since that time?
 13 **A. I seen him.**
 14 Q. Where would you see him?
 15 **A. I seen him at my uncle son's repass.**
 16 Q. Sorry, your uncle?
 17 **A. My uncle's son repass.**
 18 Q. Okay. He passed away, your uncle's son?
 19 **A. Yes.**
 20 Q. And you saw him at the funeral?
 21 **A. At the repass.**
 22 Q. At the repass.
 23 **A. Yeah.**
 24 Q. Okay. Did you talk to him there?

Page 29

- 1 **A. No.**
 2 Q. Since your arrest in 2009, have you ever
 3 exchanged any e-mails with Lamarius?
 4 **A. Since my arrest in 2009?**
 5 Q. Yeah.
 6 **A. No.**
 7 Q. What about text messages?
 8 **A. Text message?**
 9 Q. Yeah.
 10 **A. No.**
 11 Q. No.
 12 When was your uncle's son repass?
 13 **A. Maybe 2004 maybe or '3. '23. 2023, 2024. I**
 14 **don't remember the exact year.**
 15 Q. 2024 or 2023?
 16 **A. Yeah, it was one of them.**
 17 Q. Okay.
 18 **A. Summertime.**
 19 Q. Okay. You said you didn't talk to him in 2023
 20 or 2024 at your uncle's son's repass.
 21 Did he talk to you?
 22 **A. He did something I didn't like.**
 23 Q. Sorry?
 24 **A. He didn't something I didn't like.**

Page 30

1 Q. Okay.

2 **A. He approached me, grabbed me, grabbed my hand,**

3 **told me he loved me, and gave me a kiss on the jaw.**

4 Q. Okay. And what did you say in response?

5 **A. Just did like this (demonstrating.) Just**

6 **nodded my head.**

7 Q. You just nodded your head?

8 **A. That's it.**

9 Q. Okay. Did you say anything?

10 **A. Didn't say a word.**

11 Q. Have you had any communications with Lamarius

12 about this lawsuit?

13 **A. No.**

14 Q. Have you talked to Lamarius about the

15 deposition that he gave in this case?

16 **A. No.**

17 Q. Are you aware that he sat for a dep?

18 **A. I heard about it.**

19 Q. Okay. Did you hear about it from anyone other

20 than your attorneys?

21 **A. No.**

22 Q. No.

23 So accurate to say that you don't have a -- a

24 relationship with Lamarius currently?

Page 31

1 **A. No relationship at all.**

2 Q. Okay. Do you still consider him to be family?

3 **A. He my family, yeah.**

4 Q. Do you see him at any family events since you

5 got out in 2022 other than your uncle's repass, like

6 holidays and things?

7 **A. I don't -- I don't -- I don't see him no**

8 **holidays, like, on that side of the family like that.**

9 Q. Okay. Do you avoid going to holiday

10 gatherings because you know he might be there?

11 **A. Yes.**

12 Q. Lamarius has a brother called Martell

13 Robinson. Is that right?

14 **A. Yes.**

15 Q. And do you call Martell Robinson Tellz?

16 **A. Yeah, Tellz. Yeah.**

17 Q. Like T E L L Z?

18 **A. Yes.**

19 Q. Do you have a relationship with Martell

20 Robinson?

21 **A. Yes.**

22 Q. Is he one of your -- Are you close with

23 Martell?

24 **A. We trying to -- We trying to get back to being**

Page 32

1 **close.**

2 Q. Have you ever spoken to Martell Robinson about

3 your case?

4 **A. He know about my case.**

5 Q. How do you know that?

6 **A. He's my family.**

7 Q. But have you ever had a communication with him

8 about your case?

9 **A. Pertaining in what way?**

10 Q. Talking about the shooting or where you were,

11 anything like that.

12 **A. He know the case already, so I don't really**

13 **have to too much tell him about it.**

14 Q. Do you know how he knows about the case?

15 **A. His brother.**

16 Q. Have you ever spoken to Martell Robinson about

17 Lamarius's time when Lamarius was being interviewed by

18 the police?

19 **A. No.**

20 Q. You believe that the real shooter who shot

21 Christopher Hanford on December 3rd, 2008, is your

22 cousin, Lamarius Robinson. Correct?

23 **A. Yes.**

24 Q. Do you believe anybody else was involved?

Page 33

1 **A. Yes.**

2 Q. Who else do you believe was involved in the

3 shooting of Christopher Hanford?

4 **A. February Burrage and Troy Brown.**

5 Q. And who?

6 **A. Troy Brown.**

7 Q. Troy Brown?

8 **A. Yeah.**

9 Q. What's the basis of your brief that Lamarius

10 Robinson was the person that shot Christopher Hanford on

11 December 3rd, 2008?

12 **A. What is my basis?**

13 Q. (Nodding.)

14 **A. Well, there was so much that went on**

15 **pertaining to it, so he told me he did it.**

16 Q. When did he tell you that?

17 **A. That day.**

18 Q. The day of the shooting?

19 **A. Yes.**

20 Q. Where did he tell you that?

21 MR. RAUSCHER: Object to form.

22 BY MS. ITCHHAPORIA:

23 Q. Go ahead.

24 **A. Oh. You said where did he tell me?**

Page 34

1 Q. Where -- Let me rephrase.

2 Where did Lamarius Robinson tell you on the
3 day of the shooting that he's the one that did it?

4 **A. He called me. Then I met him in front of**
5 **Quinton grandma house on 15th and Central Park. Then he**
6 **broke down more of it to me.**

7 Q. So Lamarius called you that night on the
8 phone?

9 **A. Yes.**

10 Q. Was that on your cell phone?

11 **A. Yes.**

12 Q. Where were you when he called you on your cell
13 phone?

14 **A. At my mother's job.**

15 Q. And what exactly did Lamarius say to you?

16 **A. He told me he had just -- he just shot**
17 **Christopher Hanford, but he said 13, his nickname.**

18 Q. And when he said 13, did you know who he was
19 talking about?

20 **A. Yes.**

21 Q. He said, I just shot Chris- -- I just shot 13?

22 **A. Yes.**

23 Q. And what did you say to him?

24 **A. I said, I'm gonna get up with you right -- I'm**

Page 35

1 **gonna get up with you later. That's pretty much it. I**
2 **ain't really go into too much detail. Like, I said, I'm**
3 **gonna get up with you later because I don't really talk**
4 **on the phone like that.**

5 Q. Why not?

6 **A. That's just the way I was -- That's the way I**
7 **was always brought up and taught. Don't talk about**
8 **stuff like that on phones.**

9 Q. So that was a really quick conversation?

10 **A. Yeah.**

11 Q. Did he say anything else to you other than, I
12 shot 13?

13 **A. No. Then -- No, he didn't. I told him I'm**
14 **gonna talk -- After he said that, I said, I'm gonna get**
15 **up with you in a minute and that's it.**

16 Q. Do you know where he was when he called you?

17 **A. No.**

18 Q. Do you know what time it was when he called
19 you?

20 **A. I don't know the exact time.**

21 Q. What kind of cell phone did you have back
22 then?

23 **A. I think it was like -- like a little -- it was**
24 **like -- It wasn't like no contract-type phone. It was**

Page 36

1 **like a little Boost or something -- something like that.**

2 Q. Do you know what your cell phone number was?

3 **A. No.**

4 Q. Did you have a reaction when Lamarius told you
5 that he just shot 13?

6 **A. Not really.**

7 Q. So you weren't surprised?

8 MR. RAUSCHER: Object to form.

9 BY THE WITNESS:

10 **A. No.**

11 Q. Did you think it was, like, strange that out
12 of the blue your cousin is calling you to tell you he
13 shot someone?

14 **A. There was a lot of stuff that was going on.**

15 Q. What do you mean by that?

16 **A. He didn't see eye to eye with him.**

17 Q. He didn't see eye to eye with who?

18 **A. He didn't see eye to eye with Deandre Guyton,**
19 **Christopher Hanford.**

20 Q. So there had been some issues prior to
21 December 3rd, 2008, with 13 and Deandre Guyton?

22 **A. Yes.**

23 Q. And when you're saying didn't see eye to eye,
24 didn't see eye to eye about what?

Page 37

1 **A. Deandre Guyton didn't like me because of**
2 **Shanice.**

3 Q. Any other reason?

4 **A. That was it.**

5 Q. Was Shanice pregnant with your child at that
6 time?

7 **A. Yes.**

8 Q. So she had already had a child with Deandre
9 Guyton?

10 **A. Yes. Yes.**

11 Q. So were Deandre Guyton and 13 friends?

12 **A. Yes.**

13 Q. What was the issue that you had with 13 where
14 you didn't see eye to eye with him?

15 **A. It was just because they was -- Deandre Guyton**
16 **was his friend, so I guess he was -- whatever his friend**
17 **felt, he felt.**

18 Q. Okay. You said there was lots of stuff going
19 on between you guys.

20 So was that the only issue?

21 **A. No. Deandre -- Deandre had somebody shoot at**
22 **one of my friends.**

23 Q. Who?

24 **A. He had -- Deandre had somebody shoot at my**

Page 38

1 friend, Curtis Phillips. I don't know necessarily who
2 he had, but ...

3 Q. How do you know Deandre was behind your
4 friend, Curtis Phillips, getting shot?

5 A. Get shot at. He didn't get shot, he got shot
6 at. And that's because we didn't have no issues with --
7 until he started to feel this way about me talking to
8 Shanice. So we never -- like, when my friends would
9 ride down their block, nobody never shot them -- they --
10 at that before, so when he started to feel his certain
11 ways about things, that's when.

12 Q. When was -- When was your friend, Curtis
13 Phillips shot at?

14 A. I think it was in 2005.

15 Q. In 2005.

16 A. Yup.

17 Q. And you think Deandre Guyton was behind it
18 because no one else had shot your friends before?

19 A. Yes. That's the only time really the issue
20 came about was then.

21 Q. Did you ever have any, like, argument or
22 exchange any words with Deandre about Shanice Johnson?

23 A. He used to come -- He -- Not really
24 necessarily no arguments, but he used to ride past,

Page 39

1 like, from where I used to be at. He'd ride past and
2 be, like, mean mugging me or looking crazy or however.
3 So he really never really, like, said too much to me.
4 And then one day when all -- when they shot at my
5 friend, then it just started to go down from there. It
6 started to spiral from there.

7 Q. Okay. So any other issues between Deandre
8 Guyton, 13 where you didn't see eye to eye with them?

9 A. No, that's the only thing really that stand
10 from with that.

11 Q. Okay. And you're saying 13 -- the only reason
12 you didn't see eye to eye with 13 was because 13 was
13 friends with Dre?

14 A. Yes.

15 Q. Is that right?

16 A. Yes.

17 Q. Did you have any other issues with 13?

18 A. No.

19 Q. Is it accurate to say you don't have any
20 personal knowledge that Lamarius Robinson shot
21 Christopher Hanford, also known as 13, on December 3rd,
22 2008, because according to you, you weren't at the scene
23 of the shooting. Correct?

24 A. No --

Page 40

1 MR. RAUSCHER: I'm sorry. Object to form.

2 BY THE WITNESS:

3 A. No personal knowledge as being there, but from
4 what I was told, I know that he did.

5 Q. Okay. But you didn't witness it?

6 A. No.

7 Q. I'm going to get back to some of that.

8 You said that you also have a belief that
9 February -- February Burrage was involved?

10 A. Yes.

11 Q. And what's the basis of that belief?

12 A. From what was told to me.

13 Q. What was told to you?

14 A. That who was all there.

15 Q. Okay. And is that what Lamarius told you?

16 A. Lamarius, February, Troy. They all told me
17 about that when everything started to settle down.

18 Q. What was -- What was your understanding of
19 what Burrage's involvement was in the shooting?

20 A. He just -- I think -- I think, like, earlier
21 or, like, maybe five minutes before Hanford got killed
22 Deandre -- Deandre was walking up Laramie and Lamarius
23 and February tried to -- they tried to shoot him.

24 Q. So Dre was walking up Laramie and what?

Page 41

1 A. Lamarius and February tried to shoot him.

2 Q. Okay.

3 A. Well, Lamarius tried to shoot him. February
4 was with him.

5 Q. You said walking up Laramie.

6 Is that -- And -- What's the cross street
7 there, Laramie and what? Do you know?

8 A. Laramie and between I guess, like, Augusta and
9 Iowa.

10 Q. Okay. Is that in the Austin neighborhood?

11 A. Yeah.

12 Q. And then what happened when Lamarius tried to
13 shoot at Deandre?

14 A. I think the gun didn't shoot.

15 Q. The gun --

16 A. The gun didn't shoot.

17 Q. Okay. How do you know that?

18 A. That's what he said.

19 Q. Who's he?

20 A. Lamarius.

21 Q. Okay. When did he tell you that?

22 A. Later. Later in the -- like, later. Like,
23 with -- I guess with the story -- with the whole story
24 because it was always, like, in the whole lines of that

Page 42

1 **happening, D and 13, he -- so he basically told him how**
 2 **everything went from that from the beginning to end.**

3 Q. Okay. Did he tell you that night that he had
 4 walked -- when he saw Dre walking up Laramie, that he --
 5 he had tried to shoot Dre?

6 **A. Yes, he did.**

7 Q. Okay. And then did February -- did you have a
 8 conversation with February about that?

9 **A. Probably the next day.**

10 Q. Okay. And did February tell you that he and
 11 Lamarius walked up to Laramie and Lamarius tried to
 12 shoot at Dre?

13 **A. Yeah.**

14 Q. Do you know what issue Lamarius had with Dre?

15 **A. Just I guess from all of the stuff with what**
 16 **we -- whatever that we had going on, whatever he felt**
 17 **that we had going on with each other.**

18 Q. Oh, but Dre didn't like you because you had a
 19 kid with Shanice Johnson. Right?

20 **A. Yes.**

21 Q. So what was Lamarius's issue with Dre?

22 **A. I guess it's 'cause Dre got an issue with me.**

23 Q. Okay. So just 'cause Lamarius is your cousin
 24 and he's loyal to you, so he has an issue with the

Page 43

1 people that you have an issue with?

2 **A. Pretty much.**

3 Q. Okay. And then what's your understanding of
 4 Troy's involvement in the shooting of Christopher
 5 Hanford?

6 **A. Troy was just there.**

7 Q. Okay. So he didn't pull the trigger or
 8 anything?

9 **A. No.**

10 Q. What's Troy's last name?

11 **A. Brown.**

12 Q. Brown.

13 Does he go by any other names?

14 **A. Little Troy. Little Troy.**

15 Q. Little Troy. Okay.

16 Where does Little Troy or Troy Brown, where
 17 does he currently live?

18 **A. He passed away.**

19 Q. Passed away.

20 And February Burrage also passed away. Right?

21 **A. Yes.**

22 Q. Okay. Anybody else that you believe was out
 23 there that witnessed the shooting of 13 on December 3rd,
 24 2008?

Page 44

1 **A. No.**

2 Q. Just Troy, February, and Lamarius?

3 **A. That's it.**

4 Q. Okay. Did you ever hear from anybody that
 5 there were any other witnesses to the shooting?

6 **A. No.**

7 Q. Do you have any document or e-mail or voice
 8 recording or anything confirming that February Burrage
 9 and Troy Brown were out there when 13 was shot?

10 MR. RAUSCHER: Object to form.

11 BY THE WITNESS:

12 **A. Not that I know of.**

13 Q. Okay. So no way for me to be able to
 14 corroborate that.

15 Is that fair to say?

16 MR. RAUSCHER: Object to form.

17 BY THE WITNESS:

18 **A. I don't know.**

19 Q. Well, I can't go ask them, right, because
 20 they're deceased?

21 **A. They are.**

22 Q. You've never gone to the police and told them
 23 that Lamarius told you that he shot Christopher Hanford,
 24 have you?

Page 45

1 **A. No.**

2 Q. Never asked the police to arrest your cousin
 3 for -- Lamarius for murdering Christopher Hanford, have
 4 you?

5 **A. No.**

6 Q. Never gone to the State's Attorney's Office
 7 and told them that they should look into your cousin for
 8 the murder of Christopher Hanford?

9 **A. I probably wrote a letter when -- when I**
 10 **was -- on my post-conviction probably. I wrote the**
 11 **State's Attorney Office when I was at Menard I think,**
 12 **yeah, basically breaking down my case.**

13 Q. Who was the letter addressed to?

14 **A. I think Kim Foxx.**

15 Q. Kim Foxx? Okay.

16 And in the letter to Kim Foxx, did you say
 17 that Lamarius Robinson was the person that was
 18 responsible for the death of 13?

19 **A. I think I did.**

20 Q. And did you ask Kim Foxx to prosecute
 21 Lamarius?

22 **A. I just told -- I just -- I just asked, could**
 23 **they look into my case deeper.**

24 Q. Okay. Look into your case, but what about

Page 46

1 prosecuting Lamarius?

2 Have you ever asked the State's Attorney to
3 prosecute Lamarius?

4 **A. No.**

5 Q. Do you think your cousin should be prosecuted
6 for murdering Christopher Hanford?

7 MR. RAUSCHER: Object to form and foundation.

8 BY THE WITNESS:

9 **A. If that's something that they want to do. I'm
10 not going to tell them to go prosecute. I don't wish
11 jail on nobody.**

12 Q. You -- I'm sorry?

13 **A. I said, if that's something that they choose
14 to do, then that's what they could do, but I don't wish
15 jail on nobody.**

16 Q. You don't -- I'm sorry?

17 **A. Wish jail on no one.**

18 Q. You don't wish jail on anyone.

19 So do you think Chris -- I'm sorry, you think
20 Lamarius should face justice for -- or be put to justice
21 for killing 13?

22 **A. If that's something that the state choose to
23 do, then that's what they choose to do. I ain't going
24 to say prosecute no one. I'm not going -- won't say**

Page 47

1 **that.**

2 Q. You said -- Strike that.

3 You said that night that -- of the shooting
4 that you met Lamarius at Quinton's grandmother's house
5 on 15th Street?

6 **A. Yes.**

7 Q. Where was -- Where was Quinton's grandmother's
8 house?

9 **A. 15th and Central Park.**

10 Q. 15th and Central Park.

11 And that's Quinton Davis?

12 **A. Yes.**

13 Q. Friend of yours?

14 **A. Yes.**

15 Q. Known him for a long time?

16 **A. Yes.**

17 Q. Good friend?

18 **A. Yes.**

19 Q. And are you still currently friends with him?

20 **A. Yeah, he -- I don't have any issue with him.**

21 Q. Have you seen him since you got out in May of
22 2022?

23 **A. Yeah.**

24 Q. And when you were incarcerated, did you

Page 48

1 communicate with Quinton Davis?

2 **A. I think I did.**

3 Q. How'd you communicate with him?

4 **A. Probably through letters.**

5 Q. Did you ever see him when you were
6 incarcerated?

7 **A. No.**

8 Q. But you would send letters to Quinton and
9 Quinton would send letters to you?

10 **A. Yes.**

11 Q. Where are those letters that Quinton sent to
12 you?

13 **A. Where are they?**

14 Q. Yeah.

15 **A. I probably throw them away. I threw away all
16 my pictures and all my letters when -- when I got out.**

17 Q. As soon as you got out you threw it all away?

18 **A. Yes.**

19 Q. Did you ever communicate with Quinton Davis on
20 the phone or via e-mail when you were incarcerated?

21 **A. No.**

22 Q. And Davis provided an affidavit for your
23 post-conviction petition. Right?

24 **A. Yes.**

Page 49

1 Q. And you were aware that he was doing it at the
2 time when your post-conviction was filed?

3 **A. Yes.**

4 Q. How did you know to go to Quinton Davis's
5 grandmother's house that night?

6 **A. I end up getting -- I got a call at -- When I
7 called, I think I called back to ask them, like, where
8 they was at. And then Quinton -- I think Lamarius told
9 me he was at Quinton, and then Quinton called me and
10 told me to pull up to his grandma house, too.**

11 **So he probably called me -- probably called me
12 first and told me that they by -- Quinton probably
13 called me first and told me that they by his grandma
14 house, and then I called when I finally made it back
15 that way to ask them, like, where y'all at and they
16 still saying they right there, so I pulled up right
17 there.**

18 Q. Okay. So let's unpack that a little bit.

19 So you said you called Lamarius back?

20 **A. Yeah, I called to ask them -- No, Quinton
21 called me I think first and then told me that he was at
22 his grandma house. And then I think I called Lamarius
23 phone and was, like, where y'all -- like, where y'all
24 at. And then he told me that they by Quinton grandma**

Page 50

1 house, so I met them right there.

2 Q. Okay. Was this after Lamarius told you that
3 he had just shot 13?

4 A. Yeah, this was afterwards.

5 Q. Okay. So then Quinton called you?

6 A. Yes.

7 Q. Okay. And when Quinton called you, what did
8 he say?

9 A. He like, We by here by my grandma house. Pull
10 right here.

11 Q. Okay.

12 A. So when I made it back --

13 Q. And what did you tell him?

14 A. I said all right.

15 Q. Okay. And where were you when you got that
16 call from Davis?

17 A. I think I was heading towards Central Park,
18 like home.

19 Q. You were heading home?

20 A. Yeah. To drop my mother off.

21 Q. Okay. And so is that what you said to him?

22 A. Yeah.

23 Q. And then after you -- Quinton told you that he
24 was at -- Strike that.

Page 51

1 Did Quinton tell you that Lamarius was also
2 with him?

3 A. Yeah, he told me that.

4 Q. So what did he say?

5 A. He said, Pull right here by my grandma house,
6 we right here.

7 Q. Pull right here by my grandma's house, we
8 right here?

9 A. Yeah.

10 Q. How did you know he was talking about
11 Lamarius?

12 A. Because I already knew. That's -- That's ---
13 That's because I know what was going on. It was more
14 probably in the conversations as to what. I don't even
15 remember, like, the whole conversation, but I was
16 knowing that that was -- that's what he was speaking
17 about.

18 Q. Okay. Is -- Was Lamarius -- Was Lamarius
19 Robinson and Quinton Davis, were they also friends?

20 A. Yeah. They was more friends than me and him.

21 Q. Oh. So Lamarius was closer to Davis --
22 Quinton Davis than you and Quinton Davis were?

23 A. Yes.

24 Q. Okay. And then you called Lamarius after you

Page 52

1 got off the phone with Davis to say what?

2 A. I said him -- Like, because I -- when they
3 called me, I was coming with my mother going home. So
4 when I'm calling back, I'm trying to make sure, like,
5 okay, is y'all -- like, basically, like, where y'all at
6 so y'all still right there. So when I came back, that's
7 where I went to.

8 Q. Okay. When you got the first call from
9 Lamarius, were you heading home with your mom or were
10 you at your mom's --

11 A. I was at my mother's job.

12 Q. Okay. And how much time passed until Quinton
13 Davis called you?

14 A. I don't understand what you mean like how much
15 time passed.

16 Q. Sorry?

17 A. I don't know how much time had passed.

18 Q. Okay. Do you know what time Quinton Davis
19 called you?

20 A. No.

21 Q. Do you know what time it was when Lamarius
22 called you for the first time to say that he shot 13?

23 A. No.

24 Q. And do you know what time it was when you

Page 53

1 called Lamarius to be like where are you at?

2 A. No.

3 Q. When -- When you called Lamarius to ask where
4 he was at, did he say anything else to you other than he
5 was at Quinton Davis's grandmother's house?

6 A. No.

7 Q. He didn't say anything else?

8 A. No.

9 Q. Did you talk about the shooting at that time?

10 A. I talked about the shooting when I got to
11 Quinton grandma house.

12 Q. Okay. Did you drop off your mom first?

13 A. Yes.

14 Q. Did you go inside?

15 A. No.

16 Q. Did you tell your mom where you were going?

17 A. No.

18 Q. But your mom heard you talking on the phone to
19 Davis and Lamarius. Right?

20 A. She probably did.

21 Q. Did she ask you what was going on?

22 A. Yes.

23 Q. And what'd you tell her?

24 A. Nothing.

Page 54

1 Q. Did you tell her that Lamarius had told you
2 that he had shot someone?
3 **A. No.**
4 Q. Why didn't you tell her that?
5 **A. I don't talk to my mom about stuff like that.**
6 Q. What time was it when you dropped your mom
7 off?
8 **A. I don't know. I don't know the exact time.**
9 Q. Approximate?
10 **A. Probably just close to like 9:00 -- 10:00**
11 **maybe. Close to it.**
12 Q. Were you wearing a watch back then?
13 **A. No.**
14 Q. No.
15 And where did you drop your mom off?
16 **A. Central Park. 16th and Central Park.**
17 **1656 South Central Park.**
18 Q. Is that where you lived?
19 **A. Yep.**
20 Q. Who lived with you back then?
21 **A. Just me, my mother, and my sister Precious.**
22 Q. Okay. And then did you go immediately from
23 1656 Central to Quinton Davis's grandma's house on
24 15th and Central --

Page 55

1 **A. Central Park.**
2 Q. -- 16th and Central?
3 **A. Central Park, yes.**
4 Q. And Central Park. Okay.
5 How far is that?
6 **A. That's a block.**
7 Q. Block. Okay.
8 And then you went into Davis's grandma's
9 house?
10 **A. We stayed -- I think we talked -- we talked**
11 **outside in the front.**
12 Q. Okay. And what did Lamarius tell you at that
13 time?
14 **A. He just start breaking down, like, what had --**
15 **He was really, like, anxious, like, jittery, anxious. I**
16 **asked him, like, what had happened and then he started**
17 **explaining to me what transpired. And then I told him,**
18 **You know it's going to be a lot that come behind this.**
19 **And that was really, like, the basis for the**
20 **conversation.**
21 Q. And was Quinton Davis present for that
22 conversation?
23 **A. Yes.**
24 Q. And you said Lamarius told you what had

Page 56

1 happened.
2 What did he say?
3 **A. He had told me that they was out riding**
4 **around. He started breaking down what had happened. He**
5 **said that they tried to get down on Dre first. He said**
6 **the gun wouldn't shoot. Then he said he was still mad,**
7 **so I guess he rode around, he got out, and they seen**
8 **Guyton and he shot Guyton -- I mean he shot Hanford.**
9 Q. Did he tell you where he shot 13?
10 MR. RAUSCHER: Object to form.
11 BY THE WITNESS:
12 **A. Where as in?**
13 Q. Like, the location.
14 **A. Oh, yeah. He told me he caught him walking up**
15 **Lawler.**
16 Q. Well, did he tell you that -- you said he was
17 rolling around.
18 When you say rolling around, what does that
19 mean?
20 **A. Driving around.**
21 Q. Okay. Did he say who he was driving around
22 with?
23 **A. He said he was with Troy and Feb. We call**
24 **February Feb.**

Page 57

1 Q. You call February Phil?
2 **A. Feb, F E B. Feb.**
3 Q. Feb. Okay.
4 Who was doing the driving? Did he say?
5 **A. He was.**
6 Q. Okay. So he -- he -- did he tell you how much
7 time there was in between trying to shoot Dre and when
8 he shot 13?
9 **A. He ain't tell me no time.**
10 Q. But it was all on the same -- same evening?
11 **A. The same time I guess. I'm assuming. He**
12 **didn't say, like, what time he was trying to do all of**
13 **it, but it had to be obviously within, like, the same**
14 **time frame because he say he just tried to shoot him,**
15 **then got -- he end up shooting him within a little**
16 **bit -- few minutes later, within few minutes later I**
17 **guess.**
18 Q. So was it your understanding that he was,
19 like, driving around when he shot 13?
20 **A. I'm assuming.**
21 Q. Did he tell you how many times he shot 13?
22 **A. No.**
23 Q. What else did he say?
24 **A. That was mainly it. Oh, he told me that when**

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1 they was running, they seen the police. That was it
2 mainly.

3 Q. Did he say where they were, like, physically
4 when they saw the police when they were running?

5 A. He said they was running up Iowa. He said he
6 had -- Either he said after he shot him, he said he
7 handed February the gun. So I think February ran off
8 with the gun first. That's what I think. He handed the
9 gun off and February took off running.

10 Q. Was it your -- So was Lamarius saying they all
11 ran in different directions?

12 A. I don't know, like, exactly where he -- which
13 way they ran.

14 Q. Okay. And he told you that when he was
15 running from Lawler, when he was on Iowa, he saw the
16 police?

17 A. Yes.

18 Q. And did you ask him about that?

19 A. I ain't asked him too much about it because he
20 said he seen the police. I don't know who he seen,
21 where he -- you know, he just said he seen the police.

22 Q. Okay. Did he say who he was with when he saw
23 the police?

24 A. No, he didn't say who.

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1 Q. Okay. Did -- Did he tell you, you know, how
2 he went from being -- driving around and shooting 13 to
3 then running?

4 A. Huh-uh.

5 Q. No?

6 A. No.

7 Q. How long was this conversation outside Davis's
8 grandmother's house with Lamarius?

9 A. It wasn't long because he was too anxious and
10 amped up.

11 Q. So, what, maybe like a five-minute
12 conversation?

13 A. It was really -- It was, like, a little brief
14 because I asked him, like, what transpired, asked him
15 what -- what happened, what just happened, so he
16 explained it to me. He amped up, anxious, but whatever,
17 and that was, like, mainly it. It wasn't -- It was
18 probably maybe a five-minute conversation. It was cold,
19 so we didn't really stay outside that -- that -- that
20 long.

21 Q. And what happened after the conversation?

22 A. I left.

23 Q. And where -- where was Lamarius when you left?

24 A. He was still on Central Park by Quinton house.

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1 He still right there. Grandma house.

2 Q. Why'd you leave?

3 A. There was nothing for me to be right there no
4 more for.

5 Q. There was nothing -- sorry?

6 A. There wasn't nothing for me to be right there
7 no more for. I heard what happened and that was -- that
8 was it.

9 Q. Okay. So you were there for about the five
10 minutes of the conversation.

11 Then you left immediately?

12 A. I went by my way.

13 Q. Okay. And did you go home?

14 A. No.

15 Q. Where did you go?

16 A. I probably was out -- Because I know I ain't
17 go home. I was probably -- I probably -- I think I
18 probably went to go get Amarion and her mother unless --

19 Q. You're saying you think.

20 So do you have a memory of what you did?

21 A. Because I know that's who I was with later on
22 that day, so most likely I went to go get her.

23 Q. Okay. You're saying -- Again, you're saying
24 most likely.

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1 Do you actually have a memory?

2 A. I got -- I know that that's -- at the end of
3 the day, that's who I was with, so I prob- -- I went to
4 go get her then.

5 Q. Okay. What time was it when you went to go
6 get her?

7 A. I don't remember that.

8 Q. Sorry?

9 A. I don't remember that.

10 Q. Where did you go get her from?

11 A. Her house.

12 Q. And where did you go once you got her?

13 A. We end up going back to my house.

14 Q. This is Melissa?

15 A. Yes.

16 Q. Do you know what time it was when you got to
17 your house?

18 A. No, I do not.

19 Q. So you went from 15th and Central Park to
20 Melissa's house to get her?

21 A. Uh-huh.

22 Q. Is that right?

23 A. Yes.

24 Q. Where did Melissa live back then?

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1 **A. She stayed on Lockwood. I think her address**
 2 **was, like, 1450 North Lockwood.**
 3 Q. So were you in a relationship with Melissa at
 4 that point?
 5 **A. Probably. Well, you could say, yeah. Her**
 6 **and Shanice -- I don't know. I guess, yeah.**
 7 Q. You were dating both of them?
 8 **A. Yeah.**
 9 Q. Is that yes?
 10 **A. Yes.**
 11 THE VIDEOGRAPHER: Do you mind moving that mic up
 12 just a little bit?
 13 **THE WITNESS: Move it up?**
 14 THE VIDEOGRAPHER: Yeah, just like an inch or so.
 15 **THE WITNESS: Good?**
 16 THE VIDEOGRAPHER: That should be fine, yeah.
 17 BY MS. ITCHHAPORIA:
 18 Q. How do you know you went to get Melissa that
 19 night and not Shanice?
 20 **A. Because I know who I went -- who I got -- I**
 21 **know who I went with -- who I was with --**
 22 Q. Okay.
 23 **A. -- when I was -- later that day.**
 24 Q. As you sit here today, do you have a memory of

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1 the night that Christopher Hanford got shot?
 2 **A. I don't have no real memory of it, but I know**
 3 **after that conversation of what I went -- who I went to**
 4 **go get. At the end of the day, I knew who was with me**
 5 **that -- later on that night, though.**
 6 Q. Okay. Do you have an independent memory,
 7 though, of your conversation with Lamarius and going to
 8 Quinton Davis's grandmother's house?
 9 **A. I remember --**
 10 MR. RAUSCHER: Objection, form.
 11 BY THE WITNESS:
 12 **A. I remember the conversation. I'm not going to**
 13 **remember everything word for word, though. There was so**
 14 **much going on in that time frame, so ...**
 15 Q. What time was it when you and Melissa got to
 16 your house?
 17 **A. I don't know.**
 18 Q. Did you tell Melissa what had happened?
 19 **A. No.**
 20 Q. So Lamarius is really anxious and jittery. He
 21 tells you what happened.
 22 You tell him there's lots that comes -- lots
 23 could come behind this?
 24 **A. Yes.**

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1 Q. What -- What did you mean by that?
 2 **A. Police. Somebody just got killed, so people**
 3 **gonna want to retaliate.**
 4 Q. And were you worried about the police and
 5 retaliation?
 6 **A. I wasn't worried about it.**
 7 Q. You were not worried about it?
 8 **A. Not -- Not for myself.**
 9 Q. Okay. Were you worried about it for Lamarius?
 10 **A. Yeah.**
 11 Q. So if your cousin's in this agitated state and
 12 he's feeling anxious and jittery, why did you leave
 13 after the five minutes?
 14 **A. What I supposed to do?**
 15 Q. Did you ask Lamarius if he needed anything?
 16 **A. No.**
 17 Q. Did you give Lamarius any sort of direction or
 18 instruction about what to do?
 19 **A. No.**
 20 Q. Did you tell him to go to the police?
 21 **A. No.**
 22 Q. Why didn't you tell him to go to the police?
 23 **A. Why would I tell him that?**
 24 Q. So Lamarius just admits to you that he shot

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1 someone and your first reaction is not to tell him to go
 2 to the police?
 3 **A. I would never tell nobody go to the police,**
 4 **though. Why would I tell somebody -- If I know he**
 5 **just -- This my cousin, though. You think I want to see**
 6 **my cousin in jail?**
 7 Q. Okay. You don't think telling the police that
 8 your cousin shot someone is the right thing to do?
 9 **A. I wouldn't --**
 10 MR. RAUSCHER: Objection --
 11 BY MS. ITCHHAPORIA:
 12 Q. Sorry?
 13 MR. RAUSCHER: -- asked and answered.
 14 BY THE WITNESS:
 15 **A. You say why -- You say why -- Say that again.**
 16 **Repeat.**
 17 Q. Sure.
 18 I'm saying when Lamarius told you that he just
 19 shot 13, did you tell -- you didn't tell Lamarius to go
 20 to the police. Right?
 21 **A. Right. I didn't tell him.**
 22 Q. Isn't telling the police the right thing to
 23 do?
 24 **A. Probably if it -- if you coming from a**

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1 different -- like, a -- that type of standpoint. I -- I
 2 never was taught to go tell the police this or tell the
 3 police that. I wasn't going to go tell my cousin, hey,
 4 go ahead and go tell the police you just killed
 5 somebody, go to jail. I wasn't never gonna tell my
 6 cousin that.
 7 Q. Okay. Because on the streets, you have to
 8 handle things like that yourself?
 9 MR. RAUSCHER: Object to form.
 10 BY THE WITNESS:
 11 A. I -- Me, personally, I don't know about how it
 12 went with the streets or how was it, but me telling him,
 13 I wasn't gonna tell my cousin, go to the police and just
 14 say you just killed somebody. That just wasn't --
 15 That's my -- That's my ...
 16 Q. Okay. So you didn't tell him that.
 17 Did you tell him anything?
 18 A. I honestly didn't.
 19 Q. Did you tell him to lay low?
 20 A. No, I -- I just told him what I told him, I
 21 say, you know it's going to be a lot that's gonna come
 22 from this, so however he choose as an adult to handle --
 23 how he choose to -- whatever that comes with it,
 24 that's -- that's on him.

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1 Q. Were you angry when he told you that he had
 2 just shot 13?
 3 A. I wasn't angry.
 4 Q. Were you pleased?
 5 A. I wasn't pleased either. I mean, 13 never did
 6 nothing to me.
 7 Q. Well, what about when Lamarius told you that
 8 he tried to shoot Dre?
 9 Were you pleased to hear that your cousin was
 10 trying to shoot Dre, the person that you had issues
 11 with?
 12 A. No.
 13 Q. When Lamarius told you that the gun wouldn't
 14 shoot, do you know what that meant?
 15 A. The gun wouldn't shoot? I guess it was jammed
 16 or I don't know.
 17 Q. And Lamarius told you that he gave the gun to
 18 February?
 19 A. Yeah.
 20 Q. Do you know where Lamarius got the gun from in
 21 the first place?
 22 A. No.
 23 Q. Were you surprised to learn that Lamarius had
 24 a gun?

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1 A. Was I surprised?
 2 Q. Sorry?
 3 A. No.
 4 Q. That was common for Lamarius to have a gun?
 5 MR. RAUSCHER: Object to form, foundation.
 6 BY THE WITNESS:
 7 A. It was -- Guns be around, so ...
 8 Q. What does that mean?
 9 A. Like, they around. If you -- If it's -- You
 10 could get a gun. It wasn't surprising that a person --
 11 you seen somebody with a gun. It's regular.
 12 Q. Was it easy back then in 2008 to get guns?
 13 A. Yeah.
 14 Q. Did you have a gun in 2008?
 15 A. No.
 16 Q. Did you have access to a gun in 2008?
 17 A. I ain't need no gun in 2008, so I ain't had
 18 no -- I probably could have gotten one if I wanted to
 19 really look before, but I ain't have one.
 20 Q. So you knew where you could go get one from if
 21 you needed it?
 22 MR. RAUSCHER: Object to form.
 23 BY THE WITNESS:
 24 A. I probably could inquire.

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1 Q. Sorry?
 2 A. I probably could look around, ask around.
 3 Q. Okay. Have you ever owned or possessed a
 4 firearm?
 5 A. Have I ever owned? No.
 6 Q. Have you ever possessed a firearm?
 7 A. Yes.
 8 Q. When?
 9 A. I don't really remember. Well, possessing,
 10 probably when I got arrested when I was a juvenile.
 11 Q. So when -- you got arrested as a juvenile and
 12 you had a gun on you?
 13 A. I ain't have a gun on me, but it was -- my
 14 case was pertaining to a gun, so I was around a gun, but
 15 not necessarily possessed it, but I was around it.
 16 Q. What does that mean, to be around a gun?
 17 A. Like, he -- it was somebody that was with me
 18 and they had a gun on them.
 19 Q. When was that?
 20 A. 2003.
 21 Q. And who was the person that you were with that
 22 had the gun?
 23 A. Marcus Huddleston.
 24 Q. Was that a friend of yours?

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1 **A. Yeah.**

2 Q. Was -- Was that the only time that you were in
3 possession of a firearm?

4 **A. Yeah.**

5 Q. Have you ever been in possession of a firearm
6 since 2003?

7 **A. No.**

8 Q. Have you ever held a firearm?

9 **A. You're saying was I in possession since 20- --**
10 **Like, when I -- probably when I got -- when I just**
11 **had -- when I got -- recently got arrested for a gun.**

12 Q. Okay. Let's talk about that.

13 You recently got arrested for a gun?

14 **A. Yeah.**

15 Q. When was that?

16 **A. It's 2024 I think if I ain't mistaken.**

17 Q. So last year?

18 **A. Yeah.**

19 Q. So after you got out, you had a firearm?

20 **A. Yeah.**

21 Q. Okay. And it was an illegal firearm?

22 **A. Yeah.**

23 Q. Okay. You didn't have a FOID card or a
24 conceal or carry license. Right?

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1 **A. Right.**

2 Q. How'd you get the gun?

3 **A. I got it from one of my friends.**

4 Q. Why did you have a gun?

5 **A. Because I want to protect myself.**

6 Q. Why do you need to protect yourself?

7 **A. Because where I stay at and maybe because**
8 **people might want to do harm to me.**

9 Q. So where you stay at is, what, like a high --
10 a high crime area?

11 **A. It's the west side.**

12 Q. Is that -- Monitor, is that in -- what
13 neighborhood is that in?

14 **A. Monitor is -- That's Austin.**

15 Q. Austin. Okay.

16 And you said people might want to harm you?

17 **A. Yes.**

18 Q. Do you have enemies that you know of?

19 **A. Not necessarily like do I -- that I know of,**
20 **but, you know, I got out pertaining to this case, so**
21 **people could -- by me being out and knowing that I**
22 **didn't do it, people still might still be like, okay,**
23 **let's get back. He out of jail, now let's get back for**
24 **what his cousin did because we don't know where his**

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1 **cousin be. Anything. I don't -- That's all -- I'm**

2 **just -- That's my -- That's my -- my mindset. I don't**
3 **know, like, what other people might be thinking.**

4 Q. Okay. So you got -- when did you get the --
5 when did you get the illegal firearm from -- from your
6 friend?

7 **A. I don't remember, like, exactly when I got it.**

8 Q. And what's -- what's the name of the friend
9 that you got it from?

10 **A. I don't remember.**

11 Q. You don't remember the name of the person you
12 got the gun from?

13 **A. No.**

14 Q. Did you pay for the gun?

15 **A. Yeah, I paid for it.**

16 Q. How much did you pay for it?

17 **A. I don't remember the exact price. Probably**
18 **like 500, maybe 700. One of them.**

19 Q. And you knew at the time that you were buying
20 the weapon that it was an illegal weapon?

21 **A. Yeah.**

22 Q. And that you shouldn't be in possession of a
23 weapon?

24 **A. True.**

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1 Q. Is that correct?

2 **A. Yeah.**

3 Q. Okay. What kind of gun was it?

4 **A. I think -- I don't know. I think he said it**
5 **was like a nine -- nine-millimeter.**

6 Q. A nine-millimeter.

7 Was that a Glock?

8 **A. I don't -- It was in the police report. I**
9 **don't really remember what kind it was.**

10 Q. Was it like a revolver, a pistol?

11 **A. A pistol.**

12 Q. Automatic?

13 **A. Yeah.**

14 Q. Since 2022, since your release, is that the
15 only gun that you've ever possessed?

16 **A. Yes.**

17 Q. Are you currently in possession of a gun?

18 **A. No.**

19 Q. What happened to the gun?

20 **A. What you mean what happened to it? It got**
21 **seized by the police.**

22 Q. It got seized by the police when you were --

23 **A. Arrested.**

24 Q. -- arrested?

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1 **A. Yes.**
 2 Q. So you had the gun on your possession --
 3 **A. Yes.**
 4 Q. -- on your person?
 5 **A. Yes.**
 6 Q. Where was the gun?
 7 **A. In my waistband.**
 8 Q. Where on your waistband?
 9 **A. In the front.**
 10 Q. Like, is there, like, a holder for it?
 11 **A. A who?**
 12 Q. A holder.
 13 **A. No. Just in the front of my waistband.**
 14 Q. So, like, you just tuck it in between your
 15 pants --
 16 **A. And your -- And my belt.**
 17 Q. Okay. And you carry it on the -- you were
 18 carrying it on the front?
 19 **A. Yes.**
 20 Q. What happened to that -- What happened after
 21 you got arrested in 2024 for possession of a firearm?
 22 **A. I -- I beat the case.**
 23 Q. How'd you beat the case?
 24 **A. How did I beat it? Because the judge said the**

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1 **police ain't have no probable cause approaching me.**
 2 Q. So you got off on a technicality?
 3 MR. RAUSCHER: Object to the form.
 4 BY THE WITNESS:
 5 **A. I guess that's what it's -- that's what it**
 6 **was, technicality.**
 7 Q. Because you did, in fact, have possession of a
 8 gun?
 9 **A. I did.**
 10 Q. Who was the judge?
 11 **A. I don't really remember honestly.**
 12 Q. Did you have a lawyer?
 13 **A. Yes.**
 14 Q. And did your lawyer file a motion to quash
 15 your arrest?
 16 **A. Yes.**
 17 Q. And the motion was granted?
 18 **A. Yes.**
 19 Q. Okay. So the Court -- the Court found --
 20 you're saying the judge found that there was no probable
 21 cause for the police to approach you?
 22 **A. Uh-huh.**
 23 Q. Is that correct?
 24 **A. Yes.**

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1 Q. What were you doing right before the police
 2 approached you?
 3 **A. I think it was a barbecue and I -- It was a**
 4 **barbecue they was -- I think it was Memorial Day and it**
 5 **was a barbecue. And I was coming out from the backyard**
 6 **going to my car and two detective trucks pulled up and I**
 7 **got arrested.**
 8 Q. Were you guys -- Were you with other people?
 9 **A. Yes, there was a lot of people outside.**
 10 Q. Any of them your friends?
 11 **A. It was, like, a lot -- majority females.**
 12 Q. But any of them your friends?
 13 **A. Yeah, you could say they my friends.**
 14 Q. Who was out there that you knew?
 15 **A. Nora Mae McBride, Jayla Dockery (phonetic),**
 16 **Jada Moore. It was more so a lot of females there.**
 17 **Jada Moore. There was a couple people I had called for**
 18 **witnesses on my -- towards my -- for my motion.**
 19 Q. Where -- Where was this barbecue?
 20 **A. It was on Cortez and Lamon.**
 21 Q. When the police saw you, were you in someone's
 22 backyard?
 23 **A. No. I was coming out -- I came out the**
 24 **backyard, so I was, like, towards the front of the house**

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1 **going towards where my car was at towards my ...**
 2 Q. So you were on the street?
 3 **A. Yeah.**
 4 Q. Were you drinking alcohol on the public
 5 street?
 6 **A. That's what they said.**
 7 Q. Were you?
 8 **A. No.**
 9 Q. Did you have any alcohol?
 10 **A. I had alcohol that day, yeah.**
 11 Q. So you weren't drinking on the public way?
 12 **A. Huh-uh.**
 13 Q. Is that a no?
 14 **A. No.**
 15 Q. And then when you saw -- you said there were
 16 two detective trucks pull up.
 17 How did you know they were detective trucks?
 18 **A. You know detective trucks when you see them.**
 19 Q. Okay. They were not blue and white --
 20 **A. No blue.**
 21 Q. -- squad cars, though. Right?
 22 **A. No, they regular unmarked.**
 23 Q. Okay. Regular unmarked.
 24 You know what a regular -- You know what

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1 regular unmarked car is a police car?
 2 **A. Yes.**
 3 Q. And what did you do when you see the car?
 4 **A. I ran.**
 5 Q. Why did you --
 6 **A. When I -- When they -- When they -- Pretty**
 7 **much the way I was standing, they came -- one came this**
 8 **way, one came, so I kind of figured, like, they was just**
 9 **coming towards me.**
 10 Q. And you ran. Is that correct?
 11 **A. Yes.**
 12 Q. Why'd you run?
 13 **A. Because I knew I had a gun on me.**
 14 Q. And you didn't want the police to catch you?
 15 **A. Yeah.**
 16 Q. Because you knew that if you got caught with a
 17 gun, you could be in trouble?
 18 **A. Yeah.**
 19 Q. Because it was illegal to have a gun?
 20 **A. True.**
 21 Q. Did you -- Have you ever -- Other than the
 22 2003 incident where you said you were with someone that
 23 had a gun that was Marcl- -- Marcus Huddleston and the
 24 2024 incident when you were arrested, have you ever had

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1 possession of a firearm on any other occasion?
 2 **A. Huh-uh.**
 3 Q. Is that a no?
 4 **A. No.**
 5 Q. Only two times?
 6 **A. Yes.**
 7 Q. Do you refer to guns also as pipes?
 8 **A. Yeah.**
 9 Q. Do you have any other names that you refer to
 10 guns as besides pipes?
 11 **A. Do I have who?**
 12 Q. Do you -- Do you use any other name or, like,
 13 term to refer to a gun other than pipes?
 14 **A. Pipes, scraps.**
 15 Q. Scraps?
 16 **A. Yeah.**
 17 Q. Okay. Any other synonyms?
 18 **A. That's probably most -- Pipes and scraps.**
 19 **That's all.**
 20 Q. Pipes and scraps. Okay.
 21 Have you ever used a gun to threaten anyone?
 22 **A. A gun to threaten anyone?**
 23 Q. Yeah.
 24 **A. No.**

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1 Q. Have you ever discharged a firearm?
 2 **A. No.**
 3 Q. Have you ever discharged a firearm at someone?
 4 **A. No.**
 5 Q. Have you ever injured anyone with a firearm?
 6 **A. No.**
 7 Q. Have you ever had a valid FOID or conceal and
 8 carry license?
 9 **A. No.**
 10 Q. When you were arrested that day in 2024 with
 11 the gun, did you have anything else on your possession
 12 that you shouldn't have been in possession of?
 13 **A. Yeah, I think a ecstasy pill.**
 14 Q. And what were you doing with an ecstasy pill?
 15 **A. It was Memorial Day and -- but I didn't get a**
 16 **chance to even do it because I got arrested.**
 17 Q. So you were planning on using it?
 18 **A. I probably would've. It was in my pocket. If**
 19 **I really probably was gonna do it, I would have probably**
 20 **been did it already, so if I ain't did it at that time,**
 21 **I probably wasn't gonna do it. Somebody gave it to me.**
 22 **I put it in my pocket. It was in my pocket when I got**
 23 **arrested.**
 24 Q. So was the plan for you to consume it or was

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1 the plan for you to sell it?
 2 **A. It was to consume it for sure. If I was gonna**
 3 **do anything, it was gonna be consume, not to sell it.**
 4 Q. Okay. Where'd you get the ecstasy pill from?
 5 **A. A friend.**
 6 Q. Was it the same friend that you got the gun
 7 from that you don't remember?
 8 **A. No.**
 9 Q. Who did you get the ecstasy pill from?
 10 **A. It was easy to bag. I don't remember exactly**
 11 **who I got it from. I was (indiscernible), but they be**
 12 **around, the pills be around, so whenever a party like**
 13 **that going on, the ecstasy be around.**
 14 Q. And do you --
 15 **A. Liquor, weed, stuff of that nature.**
 16 Q. Do you use illegal substances?
 17 **A. Not no more.**
 18 Q. But you did?
 19 **A. I did at one point in time.**
 20 Q. When?
 21 **A. Probably more so when I had got out, first got**
 22 **out.**
 23 Q. In 2022?
 24 **A. Probably 2022. Yeah, around. I was -- I was**

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1 more so, yeah, around that time. Then I probably
2 periodically did it afterwards, but I been really, like,
3 heavy on my, like, just pulling back on a lot of things,
4 but probably just say 2024 to a little bit, not too
5 much. Probably drinking more so anything.

6 Q. Okay. Well, what illegal substances were you
7 consuming when you got out?

8 A. Mainly ecstasy.

9 Q. How often were you taking ecstasy?

10 A. I wouldn't -- Like, I wouldn't say I was,
11 like, addicted to it, but I don't really know, like,
12 how -- probably when it's certain occasions, certain
13 birthdays or something, like, maybe, but not on a
14 regular basis, though.

15 Q. So, like -- like, we're talking, like, once a
16 month, twice a week?

17 A. I wouldn't under- -- I wouldn't know it, like,
18 if it was once a month or ...

19 Q. I'm sorry?

20 A. I wouldn't know really, like, if it's once a
21 month or twice a -- I don't know. Every chance -- I'd
22 do it whenever, so I wouldn't say I wasn't keeping up
23 with, like, how and -- how long and how -- when, the
24 days. I wouldn't know all that.

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1 Q. Was it mostly, like, when you were partying
2 or ...

3 A. Probably so. Maybe in that aspect of it.
4 Maybe.

5 Q. Okay. Have you ever seen a video of your
6 arrest from May 2024?

7 A. Have I seen -- Yeah.

8 Q. You have?

9 A. Yeah.

10 Q. When did you see that?

11 A. At -- When I went to go visit my attorney.

12 Q. Okay. And did you ever see a video of when
13 you're being transported in the police vehicle after
14 you've been arrested?

15 A. No, I don't think I seen that. I just seen
16 when I was -- they just showed me when I was, like, more
17 so, like, running.

18 Q. Running. Okay.

19 You asked the police officers during transport
20 what the probable cause was. Right?

21 A. Yeah.

22 Q. Is that a yes?

23 A. Yes.

24 Q. And the officer told you that you were

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1 drinking. Right?

2 A. Yeah.

3 Q. And then you laughed?

4 A. Probably so. I don't remember. I was drunk.

5 I don't remember the whole details of that whole --
6 everything.

7 Q. You told the officer that you would, quote,
8 you'll beat that shit?

9 A. Probably did.

10 Q. Probably did or did you say that?

11 A. I don't remember -- I don't remember
12 everything I said. I -- I ain't seen the whole -- the
13 me being transported and all that. I don't remember all
14 that. I just seen what my lawyer showed me as far as
15 pertaining to the case, like, what trans- -- in that
16 aspect of it, not the whole me pulling up to the --
17 them putting me in the car and, no, I don't remember
18 seeing all that.

19 Q. Do you think it's accurate to say that you
20 were pretty cocky when the police arrested you for
21 having an illegal gun and -- and you saying that you're
22 going to beat that shit?

23 A. Cocky? I don't remember me saying it
24 honestly.

Page 85

1 Q. Do you know when the Court ruled that there
2 was no probable cause?

3 A. Do I know when?

4 Q. When.

5 A. I caught the case in, what, May. I thought
6 I -- we gonna beat the case in nine months, so -- so
7 whatever that -- whatever that is, so months, days,
8 whatever that is. I don't remember the exact day I beat
9 the case, though.

10 Q. And was that the last time in May of 2024 that
11 you were in possession of a firearm?

12 A. Yes.

13 Q. What's your highest level of education?

14 A. I went to ninth grade.

15 Q. Did you complete ninth grade?

16 A. I don't think -- No, I ain't complete it.

17 Q. Okay. So you started ninth grade, but you
18 didn't complete it?

19 A. Right.

20 Q. Is that right?

21 A. That's right.

22 Q. Okay. And where'd you go into ninth grade?

23 A. Steinmetz.

24 Q. Steinmetz. Okay.

Page 86

1 And why didn't you complete ninth grade?

2 **A. I think I -- I got arrested.**

3 Q. And what'd you get arrested for?

4 **A. I think that had to be in 2003. I think -- I**

5 **think vehicle invasion or something like that.**

6 **Vehicular invasion. Unlawful vehicle invasion.**

7 **Something like that.**

8 Q. Okay. So it wasn't that you dropped out of

9 school, you got arrested?

10 **A. Yeah.**

11 Q. Okay. And then during the time that you were

12 in jail or in prison, did you ever get your GED?

13 **A. No.**

14 Q. Were you -- So you were arrested in April

15 of -- April 2003 for unlawful vehicular invasion and

16 armed robbery?

17 **A. Yeah.**

18 Q. And you were -- how old would you have been?

19 **A. 15.**

20 Q. Okay. Is that the arrest with Mark -- Marcus

21 Huddleston?

22 **A. Yes.**

23 Q. And Quinton Davis was also --

24 **A. And Quinton Davis, yeah, he was --**

Page 87

1 Q. -- involved. Right?

2 **A. Yeah, Quinton Davis.**

3 Q. Are you currently employed?

4 **A. Yes.**

5 Q. Where are you employed?

6 **A. Home Depot.**

7 Q. And what do you do at Home Depot?

8 **A. Garden recovery.**

9 Q. Garden recovery?

10 **A. Yes.**

11 Q. What does that mean?

12 **A. Garden recovery is like -- it's like all the**

13 **stuff in gardens, like the flowers, you water the**

14 **flowers, keep all the plants and everything watered.**

15 **You restock up, like, the soil, the rocks, the bricks.**

16 **Keep it clean. The mulch, restock up the mulch. Stuff**

17 **like that.**

18 Q. How long have you been working for Home Depot

19 for?

20 **A. I've been working with Home Depot since**

21 **June 5th of this year.**

22 Q. June 5th. Okay.

23 Have you had any employment before working at

24 Home Depot?

Page 88

1 **A. Yeah, I worked at Chilled Solutions.**

2 Q. Sorry?

3 **A. Chilled Solutions, C -- C H I L L E D,**

4 **Solutions.**

5 Q. What did you do there?

6 **A. I was a truck driver. I was driving trucks.**

7 Q. Okay.

8 **A. Like a delivery driver.**

9 Q. For how long did you do that for?

10 **A. I did that for like nine months.**

11 Q. Was that the first job that you had after you

12 got out?

13 **A. Yes.**

14 Q. So the first job you had when you got out was

15 at Chilled Solutions as a truck driver and you did that

16 for nine months?

17 **A. Yes.**

18 Q. And why did you leave Chilled Solutions?

19 **A. I had started going to school for my GED**

20 **program. Went there. I got one more test to do for my**

21 **GED. I passed all the rest, though. I just got to do**

22 **my -- the last test. I got to do my math test. And**

23 **that was -- that was why I left Chilled Solutions was**

24 **for my GED class.**

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1 Q. Oh, you couldn't do both?

2 **A. No.**

3 Q. Was -- Was the classes conflicting with work

4 time?

5 **A. Yeah, because I had to be at work at -- you**

6 **have to be at work at 4:00 in the morning.**

7 Q. Okay.

8 **A. And I -- pretty much like a 12-hour shift**

9 **almost, so it's, like, 4:00 to 4:00 almost.**

10 (Videographer clarification.)

11 BY MS. ITCHHAPORIA:

12 Q. And then you said you're -- where are you

13 taking GED classes?

14 **A. At Dawson Tech Institute.**

15 Q. And you've got one more math test to complete?

16 **A. Just the math test. Out of all the four**

17 **tests, I had completed three. I got one more to**

18 **complete.**

19 Q. Do you plan to complete that?

20 **A. Yes.**

21 Q. Is it scheduled?

22 **A. I ain't scheduled it yet. I still got to --**

23 **Because I been trying to do a little working and**

24 **whatever like that, so I really haven't, like, studied**

Page 90

1 **and locked all in on it yet.**

2 Q. Okay. But you passed the other three tests?

3 **A. Yes.**

4 Q. Okay. Is the Home Depot job, is that
5 full-time?

6 **A. Part-time.**

7 Q. Part-time. Okay.

8 How many hours a week are you working?

9 **A. It's part-time, but on my off days, if I ask
10 the manager, like, can I come in, they'll let me come
11 in. So it's almost -- like, it's part-time, but I'm
12 pretty much doing, like, full-time hours.**

13 Q. Okay. So about 40 hours a week?

14 **A. Yes.**

15 Q. Do you have, like, set days that you're
16 working?

17 **A. I got set days. Like, off my schedule, they
18 have -- they have it. Whatever the schedule is, then
19 that's when I go in.**

20 Q. Do you work weekends as well?

21 **A. Yes. I'm off on Sundays, but I work
22 Saturdays.**

23 Q. You're off Sundays, but you work seven?

24 **A. Saturdays, Saturdays.**

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1 Q. Saturdays. Okay. Got it.

2 Do you have anything else that you're doing
3 for -- for employment?

4 **A. No.**

5 Q. Prior to getting the -- your arrest in
6 March 2009, did you have any employment?

7 **A. Arrest -- No, no.**

8 Q. No.

9 What were you -- When you were no longer in
10 high school, what were you doing for money?

11 **A. Selling drugs.**

12 MS. ITCHHAPORIA: We've been going for about an
13 hour and a half. Let's take a break.

14 THE VIDEOGRAPHER: We are now off the record.
15 11:24 a.m.

16 (A short break was had.)

17 THE VIDEOGRAPHER: We are back on the record at
18 11:33 a.m.

19 BY MS. ITCHHAPORIA:

20 Q. Mr. Robinson, at some point, you joined a
21 street gang. Is that correct?

22 **A. Yes.**

23 Q. And that was the Conservative Vice Lords.

24 **A. Yes.**

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1 Q. Also known as the CVLs?

2 **A. Yes.**

3 Q. How old were you join- -- when you joined the
4 CVLs?

5 **A. Maybe when I was like 13.**

6 Q. Was there a particular faction of -- or set of
7 the CVLs that you joined?

8 **A. A faction? No.**

9 Q. Was there a particular area of the city where
10 the CVLs that you joined, where they hung out?

11 **A. Yes.**

12 Q. And what was that area?

13 **A. Iowa and Lamon.**

14 Q. That was in the Austin neighborhood?

15 **A. Yes.**

16 Q. In the same area where 13 was shot?

17 **A. It's not the same area, but it's down the
18 street, yeah.**

19 Q. Okay. How did you join the gang when you were
20 13?

21 MR. RAUSCHER: Object to form.

22 BY THE WITNESS:

23 **A. How did I join it?**

24 Q. Yeah.

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1 **A. I guess mainly it was just by just, like,
2 who -- where I stayed at. So they was, like, right
3 there, so they really, like, pretty much friends that
4 was already that was probably -- that was in it already.
5 Mainly just by being around them.**

6 Q. Where were you staying at?

7 **A. On Walton.**

8 Q. Walton.

9 **A. Walton, like, maybe, like, in between Lamon
10 and Cicero on Walton, though.**

11 Q. Well, at some point, you moved to 16th and
12 Central. Right?

13 **A. I was just staying over there.**

14 Q. You were staying at where?

15 **A. I was just staying on 16th and Central Park.**

16 Q. What do you mean you were just staying there?

17 **A. Like, that's just where I lived at. Like --**

18 Q. Okay.

19 **A. -- I didn't hang around there like that.**

20 Q. You didn't hang there?

21 **A. No, I ain't hang -- like, hang -- really hang
22 around that area like that.**

23 Q. Okay.

24 **A. Like, I stayed on Central Park, but I'd leave**

Page 94

1 out my house. I wouldn't, like, go around Central, like
 2 that area. I'd just go all the way to the Austin area
 3 on Iowa.
 4 Q. Okay. Did you ever live on Walton, though?
 5 A. Yes, I lived on Walton.
 6 Q. Okay. So what period of time did you live at
 7 16th and Central?
 8 A. Let me see. Let me see. Let me see. Because
 9 it's, like, we lived on Long at one point in time. We
 10 had lived on Long, so we moved off -- no, I take that
 11 back, I'm sorry. We lived 1715. I think it's 1715
 12 North Menard and then we end up moving to 4835 West
 13 Walton. So I don't know, like, what year almost, like,
 14 that -- so we stay right there for a little while. Then
 15 my mother end up get -- moving on Central Park off
 16 Walton. She end up moving on -- on Central Park.
 17 Q. Do you know when she moved from Walton to 16th
 18 and Central --
 19 A. I don't.
 20 Q. -- Park?
 21 A. I honestly don't. I don't.
 22 Q. Okay. When you were arrested in December of
 23 2008, you were living at 1656 South Central Park?
 24 A. Yes.

Page 95

1 Q. Okay. Do you know how many years you lived at
 2 the -- I think you said 4035 [sic] West Walton?
 3 A. So I could say this: 2003 we probably --
 4 2003 -- yeah, 2002, 2003, that's when we moved on
 5 Central Park. So whatever, like -- like, little -- in
 6 that time frame from Walton to Central Park, so we moved
 7 over there in like 2003.
 8 Q. Okay.
 9 A. 2002, 2003.
 10 Q. So just so I'm understanding you.
 11 So in 2002 or 2003, you moved from Walton to
 12 Central Park?
 13 A. Yes.
 14 Q. Okay.
 15 A. Yes.
 16 Q. I got you. Okay.
 17 And you had already joined a gang before you
 18 moved to Central Park --
 19 A. Yeah.
 20 Q. -- in 2002, 2003?
 21 A. Yes.
 22 Q. Okay.
 23 A. So I was like 13, around that age. 13, 14.
 24 Q. In order to join the gang, did you have to get

Page 96

1 blessed or initiated into the gang?
 2 A. You'd get blessed.
 3 Q. And what does that mean, to get blessed?
 4 A. Basically just you -- they give you some
 5 literature.
 6 Q. They give you some?
 7 A. Literature, paperwork. Basically, like, learn
 8 your literature. That was mainly it.
 9 Q. Kind of like the bylaws?
 10 A. Yeah.
 11 Q. The dos and don'ts?
 12 A. Yeah.
 13 Q. Were you ever a member of the Latin Kings?
 14 A. No.
 15 Q. No. Okay.
 16 Did you have a gang name?
 17 A. A gang name? I ain't have no gang name. Just
 18 my name is my name.
 19 Q. Okay. Did people -- Other gang members, did
 20 they call you Baby AI or BA?
 21 A. Yeah, Baby AI, BA.
 22 Q. Okay. Did you have any rank in the gang?
 23 A. No.
 24 Q. Were you considered, like, a soldier?

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1 A. No, I guess -- If you don't have no rank, I
 2 guess you is a soldier. Right? I guess.
 3 Q. Was your cousin Lamarius, was he also in the
 4 CVLs?
 5 A. No.
 6 Q. What about February Burrage?
 7 A. No.
 8 Q. No?
 9 A. No.
 10 Q. Troy Brown?
 11 A. He was.
 12 Q. And you said that the CVL gang, that you hung
 13 out with -- they -- they hung out at the area of Iowa
 14 and Lamon?
 15 A. Uh-huh.
 16 Q. Is that a yes?
 17 A. Yes, yes.
 18 Q. What other area did they hang out at?
 19 MR. RAUSCHER: Object to foundation.
 20 BY THE WITNESS:
 21 A. CVL is a lot of places.
 22 Q. Okay. The -- The particular CVL group that
 23 you hung out with.
 24 A. Oh, we -- Iowa and Lamon. Walton and Lamon.

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1 **Augusta and Lamon pretty much.**

2 Q. Was there a gang that hung out in the 901
3 Lawler -- Lawler area?

4 **A. Yeah.**

5 Q. Which gang hung out there?

6 **A. The Four Corner Hustlers.**

7 Q. And was that a rival gang?

8 **A. Not necessarily a rival gang, but we had
9 issues, so ... At one point in time, we was all cool.**

10 Q. Okay. What about in the December -- in the
11 winter 2008 time frame?

12 Was that a time when you had issues with the
13 Four Corner Hustlers?

14 **A. Yeah, you could say. We -- It been -- It had
15 been going on for a while, so it's -- since 2005 you --
16 want to say.**

17 Q. So was -- who controlled the area of Lavergne
18 and Iowa back in the 2008 time frame?

19 **A. Nobody really never really been right there
20 like that.**

21 Q. Okay. What about Lawler and Iowa?

22 **A. That's considered -- That's considered the
23 Four -- the Four Corner Hustlers' block.**

24 Q. Okay. And how far -- how far west did that

Page 100

1 But the area between -- on Iowa between Lawler
2 and Lavergne was Four Corner Hustler territory back in
3 the winter of 2008?

4 **A. Between Lawler and Lavergne?**

5 Q. Yeah. On Iowa.

6 **A. You could say that probably is the Four -- the
7 Four Corner Hustlers, yeah.**

8 Q. Okay. How long were you -- Well, strike that.
9 Are you still a member of the CVLs?

10 **A. No.**

11 Q. When did you stop being a C -- CVL member?

12 **A. I really -- When I was in jail.**

13 Q. When was that?

14 **A. When I just got in my different head space
15 where I was just -- like, I'm was just gonna just chill
16 out. I don't know exactly what -- probably what -- what
17 year it was, but ...**

18 Q. So if you were arrested in March of 2009, was
19 it that year that you --

20 **A. No. It probably would have -- when I was
21 got -- went to -- I was in Menard.**

22 Q. Menard. Okay.

23 **A. I -- Probably, like, close to when I was
24 getting ready to come home I had -- I had to -- just had**

Page 99

1 go?

2 **A. How far west?**

3 Q. Yeah.

4 **A. That's just right there. They --**

5 Q. Okay.

6 **A. -- only right there. Like, Augusta and -- I
7 think they was -- I think they was -- because it's I
8 guess kind of mixed in. It's, like, you have the Fours,
9 then you got -- like, back that ways, like, you got
10 Unknowns. They was, like, all in there. That -- That
11 was, like -- So it was, like, they was mixed in with
12 each other.**

13 **Like, this block -- this certain -- They --
14 So -- It's like it's -- it's -- you got to know it,
15 like, but this side may be the Four's side, then this
16 side might be the Unknowns' side. So it was, like, if
17 you go this way, they probably -- the Unknowns would be
18 on this side and the Four -- like, so it was, like, you
19 just got to know what areas probably, like, to
20 understand it.**

21 Q. Okay. When you're saying Fours, you mean the
22 Four Corner --

23 **A. Corner Hustlers, yeah.**

24 Q. -- Hustlers? Okay.

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1 **to put myself -- how I looked at things, I'm like, I got
2 to change my ways of thinking. Got to change my way of
3 just certain things I gave my energy so I started
4 pulling back.**

5 Q. Okay. But while you were in Cook County Jail,
6 you were still affiliated with the CVLs?

7 **A. Yes.**

8 Q. And then when you said you were in Menard,
9 that's when you started changing your thinking?

10 **A. Uh-huh.**

11 Q. Is that right?

12 **A. Yes.**

13 Q. You were in Menard for about ten years.
14 Right?

15 **A. Yes.**

16 Q. So when was it that you -- when you were in
17 Menard that you stopped thinking and affiliating with
18 the CVLs?

19 **A. Like, I -- when I just said. Close to when
20 I -- I think, you know, as I was getting close to -- I
21 ain't know I was going home, but it's around that time.
22 Probably, like, a couple, like -- Probably, like, two
23 years maybe before I came home.**

24 Q. Okay. You didn't come home from Menard.

Page 102

1 Right?

2 **A. No.**

3 Q. Okay. So you went from Menard to Hill?

4 **A. I went from Menard to Hill and then from Hill**
 5 **to Pinckneyville.**

6 Q. Okay. So you're saying around -- after about
 7 eight years of being at Menard, that's when you stopped
 8 kind of -- and changed your mindset and stopped
 9 affiliating with the Conservative Vice Lords?

10 **A. Yes.**

11 Q. Did you -- Did you do anything other than
 12 changing your mindset in order to stop being affiliated
 13 with the CVLs?

14 **A. I just -- I just fell back. I just --**

15 Q. Scaled back?

16 **A. I fell back. Just ...**

17 Q. Okay. Fell back.

18 **A. Yeah.**

19 Q. Okay. But when you were in Cook County Jail,
 20 did you join the -- were you still -- you were still
 21 part of the CVLs?

22 MR. RAUSCHER: Objection, asked and answered.

23 BY THE WITNESS:

24 **A. Yes.**

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1 Q. And then for Menard, for the eight years that
 2 you were there, you were still part of the CVLs?

3 **A. Yes.**

4 Q. Was there a CVL faction in Menard?

5 **A. What you mean? What you mean?**

6 Q. Were there, like, CVL gang members in Menard
 7 that you would associate with?

8 **A. There's CVLs in Menard. It's -- It's -- It's**
 9 **different, though, when you in jail. It's a vice. You**
 10 **could consider it a Vice Lord Nation. It's not just**
 11 **CVLs. And so you'll have CVLs, Unknowns, Mafias.**
 12 **Everybody that's under the Vice Lord faction. So you'll**
 13 **be around them.**

14 Q. And you would be around them?

15 **A. Yeah, you in jail with them.**

16 Q. Okay. So -- So let me get some understanding.

17 So my -- my understanding is in street gangs
 18 in Chicago, there's two nations, right, the People's
 19 Nation and the Folk's Nation?

20 **A. Yeah.**

21 Q. Okay. And what nation was the CVLs?

22 **A. They People's.**

23 Q. People's. Okay.

24 And everybody else that's -- anybody that's in

Page 104

1 Folk's, those are considered rivals of the People?

2 **A. Yeah, I guess. Yeah, you could say I guess.**

3 Q. Okay. And so were the Four Corner Hustlers,
 4 were they Folk's?

5 **A. People's.**

6 Q. They were People?

7 **A. Yes.**

8 Q. Okay. What about the Unknowns?

9 **A. People's.**

10 Q. People's.

11 So when you were in the CVL gang in jail, how
 12 did you continue to affiliate with the CVLs?

13 **A. What you mean how do I continue? I'm confused**
 14 **what you mean.**

15 Q. Were you -- Were you engaging in gangbanging
 16 activities when you were in jail?

17 MR. RAUSCHER: Object to form.

18 BY THE WITNESS:

19 **A. I don't know, like, what's gangbanging**
 20 **activities in jail. You really don't do nothing in jail**
 21 **but be in jail and the -- you ain't doing too much of**
 22 **nothing in jail.**

23 Q. Okay. Were you hanging out with other CVLs
 24 when you were in jail?

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1 **A. If it's CVLs -- If you -- If you -- If you**
 2 **were part of Vice Lord, you going to be around vice**
 3 **lords, so ...**

4 Q. Okay. When you were in jail, were you
 5 keeping -- Strike that.

6 When you were in jail, were you keeping
 7 aware of what was going on in the streets with the CVL
 8 gangs?

9 **A. I probably would call them to see what was**
 10 **going on from periodic, time to time, yeah.**

11 Q. You -- Who would you call?

12 **A. Whoever I decided. I don't know. What's --**
 13 **Whoever I called. Any one of my -- my friends at that**
 14 **time I probably -- I called a lot of people, so I don't**
 15 **know ...**

16 Q. Okay. And you would find out what was going
 17 on in the streets?

18 **A. I -- I probably -- When I called, they'd**
 19 **probably say that this happened or that happened or**
 20 **yeah.**

21 Q. Okay. And then for the eight years when you
 22 were in Menard, were you still keeping informed about
 23 what was going on in the streets with the CVLs?

24 **A. The CVLs, they my friends. A lot of them was**

Page 106

1 my friends, so if I did call, I was going to know what
2 was going on pretty much or something like that.

3 Q. Okay. And 13, do you know if he was in a
4 gang?

5 A. Yeah.

6 Q. What gang was he in?

7 A. He was a Four Corner Hustler.

8 Q. And what about Deandre Guyton?

9 A. Four Corner Hustler.

10 Q. How do -- How do you know that they were
11 Four Corner Hustlers?

12 A. That's the area they was from.

13 Q. Area. Okay.

14 Was Quinton Davis a Four Corner Hustler?

15 A. No.

16 Q. Was he a CVL?

17 A. No.

18 Q. Was he in a gang?

19 A. I think he was a Unknown.

20 Q. Unknown. Okay.

21 What about Lamarius? Was he in a gang?

22 A. He a Unknown, too.

23 Q. Okay. Were you, back in the winter 2008
24 time frame, was the CVLs getting along with the

Page 108

1 people -- like, you'll just know who they is, like,

2 that's -- oh, that's him, like, but he never got

3 introduced, like, oh, here's Baby Al and there's -- I'm
4 13, nothing like that, no.

5 Q. Okay. And how was it that you met Deandre.

6 A. I never met -- I met him -- We was all from

7 the same, like, area, so, like, and really through this

8 Shanice situation really, but nothing really like -- we

9 weren't friends or nothing like that, though.

10 Q. Did you know back in the winter 2008 time
11 frame who had rank in the CVLs?

12 A. Did I know who had rank?

13 Q. Yeah.

14 A. No.

15 Q. Well, there were people above you in the gang.
16 Right?

17 A. Was people above me in the gang? What -- What

18 do you -- Like, what is you considering like in CVLs?

19 You considering CVLs just -- You just speaking just for

20 Lamon and Iowa or is you talking about CVLs as in a
21 whole?

22 Q. Oh, okay. Let's talk about Lamon and Iowa.

23 A. Okay. Ain't no -- It wasn't -- See, it's

24 different. It's different than how people might look at

Page 107

1 Unknowns?

2 A. We never -- We had no issue with the Unknowns.

3 Q. No issue. Okay.

4 Do you know how Christopher Hanford got the
5 nickname 13?

6 A. No.

7 Q. Do you know where Hanford lived in the winter
8 of 2008?

9 A. No.

10 Q. Prior to December 3rd, 2008, where would you
11 see Hanford?

12 A. Probably riding, riding around. When he come
13 past Iowa and Lamon or that was mainly it or I see them
14 standing where he -- where they hung out at.

15 Q. Which was where?

16 A. Lawler and Augusta.

17 Q. Did you go to school with 13?

18 A. No.

19 Q. Were you introduced to him?

20 A. I wasn't introduced to him.

21 Q. Okay. So you would just see him when -- when
22 he was driving around?

23 A. Yeah, I see him when he driving around. You
24 know how people just -- you just know who certain

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1 it. It's, like -- It wasn't no structure when -- so

2 there wasn't no, oh, you got this -- this or this and
3 that. It wasn't like that.

4 Q. Okay. What about in general?

5 A. What you mean --

6 Q. Like, as a whole.

7 When you're talking about the CVLs as a whole,
8 was there any structure there?

9 A. Not really.

10 Q. No. Okay.

11 And when you -- when you're in the -- when you
12 were in the CVL gang after you joined at 13, like, what
13 would you do with the gang?

14 MR. RAUSCHER: Object to form.

15 BY THE WITNESS:

16 A. You really just would -- You really was just
17 hanging out with your friends. There's wasn't really
18 too much to -- Like, it wasn't like we -- people think
19 we just got -- and that -- and that time you go out and
20 do this to try to prove your -- it ain't -- it wasn't
21 like that.

22 Q. Go out to prove what?

23 A. Like, do stuff to prove yourself to the gang.

24 It wasn't -- It wasn't that type of time where I was

Page 110

1 **from or from over there. It wasn't like that.**

2 Q. Was the -- In the winter 2000 time frame, was
3 the Mafias -- 2008 time frame, were the Mafias rivals of
4 the CVLs?

5 **A. Mafias?**

6 Q. Yeah.

7 **A. No.**

8 Q. Were Mafias People?

9 **A. Yeah.**

10 Q. Did you sell drugs for the gang?

11 MR. RAUSCHER: Object to form.

12 BY THE WITNESS:

13 **A. I wouldn't say I'd sell drugs for the gang,**
14 **but there were drugs getting sold.**

15 Q. And you weren't doing it for the gang?

16 **A. I was -- The money was going in my pocket.**

17 Q. Okay. Were you selling drugs with other CVL
18 members?

19 **A. Yeah.**

20 Q. Did you start selling drugs when you were
21 around 13?

22 **A. Yeah. 13, 14.**

23 Q. Sorry?

24 **A. Maybe like 13 -- 14 maybe.**

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1 Q. Okay. 14.

2 And were you selling drugs on a pretty regular
3 basis until you were arrested for this case in 2009?

4 **A. Yeah.**

5 Q. From about -- From about 2002 to 2003 till
6 about 2009, you were selling drugs?

7 **A. I got arrested in 2003.**

8 Q. You got arrested and you spent some time in
9 IDOC custody and then you got out. Right?

10 **A. Yes.**

11 Q. And then when you got out, did you continue
12 selling drugs?

13 **A. Yes.**

14 Q. Okay.

15 **A. I started back, yeah.**

16 Q. And then you got arrested again. Right?

17 **A. Yes.**

18 Q. And then you spent some time in IDOC custody
19 again?

20 **A. Yes.**

21 Q. And then when you got out, were you selling
22 drugs again?

23 **A. When I got out in -- When I got out in,**
24 **what -- Yeah, I did, yeah, because I got -- I think that**

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1 **was 2007 and I got back out in like 2008.**

2 Q. Did you -- What kind of drugs would you sell?

3 **A. Heroin.**

4 Q. Anything else besides heroin?

5 **A. No, that was ...**

6 Q. Okay. Would you refer to that as blows?

7 **A. Yes.**

8 Q. Rocks?

9 **A. Rocks is -- That's something else.**

10 Q. Okay. Would you sell rocks?

11 **A. No.**

12 Q. What area would you sell drugs at?

13 **A. Iowa and Lamon, Walton and Lamon.**

14 Q. Walton and Lamon?

15 **A. Yeah, Walton.**

16 Q. Okay. Would you ever sell drugs at Lawler and
17 Iowa?

18 **A. No.**

19 Q. What about Lavergne and Iowa?

20 **A. No.**

21 Q. Would you ever sell drugs at Lamon and Iowa?

22 **A. Yeah.**

23 Q. Lamon and Iowa. Okay. Yeah.

24 You -- You wouldn't sell at Lawler and Iowa

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1 because that was Four Corner Hustler territory?

2 **A. Exactly.**

3 Q. Okay. When you were selling drugs, like, how
4 much were you making on a weekly basis?

5 **A. I don't -- I don't remember.**

6 Q. Was it, like, 500 to a thousand dollars or
7 more?

8 **A. It probably was more than that.**

9 Q. More than that?

10 **A. Yeah.**

11 Q. What about \$2,000?

12 **A. Probably was more than that.**

13 **A week?**

14 Q. A week.

15 **A. Yeah, probably more than that.**

16 Q. Give me an idea approximately.

17 **A. I really don't like to give you -- know**

18 **exactly, like, numbers, so it was -- it was more than**
19 **2,000, so ...**

20 Q. Okay. More than 5,000?

21 **A. It probably was in that range maybe. Maybe**
22 **less.**

23 Q. Okay. And did you have to give a cut of the
24 proceeds that you were making from selling drugs to

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1 anyone?
 2 **A. No.**
 3 Q. You got to keep it all yourself?
 4 **A. Yeah.**
 5 Q. Were you selling drugs for Hershey?
 6 **A. No.**
 7 Q. Who's Hershey?
 8 **A. He a friend.**
 9 Q. Did Hershey have rank in the CVLs?
 10 **A. Hershey not a CVL.**
 11 Q. Did you ever sell drugs for Hershey?
 12 **A. No.**
 13 Q. Was Hershey running the block around Iowa and
 14 Lamon?
 15 **A. He wasn't run- -- He -- Hershey's not no CVL.**
 16 Q. Okay. So you don't know Hershey to sell
 17 drugs?
 18 **A. I know Hershey, but he -- he's not -- he's not**
 19 **no CVL, so he -- if he not a CVL, he can't sell nothing**
 20 **on -- on CVL.**
 21 Q. Okay. But do you have to be a member of the
 22 CVLs to be able to sell drugs in the CVL areas?
 23 **A. Yes.**
 24 Q. But was Hershey running the drug business

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1 in the area of Iowa and Lamon in the 2008, 2009 time
 2 frame?
 3 MR. RAUSCHER: Object to form and foundation.
 4 BY THE WITNESS:
 5 **A. He probably had something going on through**
 6 **there, but he wasn't -- he wasn't selling, like -- it**
 7 **wasn't his block. That's what I'm -- like, he --**
 8 Q. Okay. And you weren't selling for him?
 9 **A. No.**
 10 Q. Did you ever sell for him?
 11 **A. No.**
 12 MR. RAUSCHER: Objection, asked and answered.
 13 BY MS. ITCHHAPORIA:
 14 Q. Did anybody ever sell drugs for you?
 15 **A. Yes.**
 16 Q. Who sold drugs for you?
 17 **A. Majority of everybody -- Whoever that was out**
 18 **there.**
 19 Q. Give me names.
 20 **A. A lot of people. I can't just give the names.**
 21 **Whoever that was a part of that area then, that's pretty**
 22 **much -- that's what it was.**
 23 Q. So if they were part of the area, they were
 24 part -- they were also in the CVLs?

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1 **A. Uh-huh.**
 2 Q. Is that a yes?
 3 **A. Pretty much, yeah.**
 4 Q. Okay. And then they're selling drugs for you?
 5 **A. At one point in time, yeah.**
 6 Q. And would they have to give a cut of their
 7 proceeds to you?
 8 **A. Yes.**
 9 Q. So on top of the money that you were making
 10 from selling drugs, you were also getting cuts from
 11 other people that were selling drugs for you --
 12 **A. No, no, no, no, no, no. It was all just under**
 13 **one. So if they -- if I gave them something, then they**
 14 **got to bring me back a certain -- whatever it is that I**
 15 **gave them.**
 16 Q. Okay. Well, how much of a cut did you get?
 17 **A. Depend on, like -- So just, for instance, if I**
 18 **gave them 13 bags, that's what normally was in there, so**
 19 **they would bring me back \$100, they kept \$30.**
 20 Q. Okay. So, like, 30 percent?
 21 **A. If that's what that is. Yeah.**
 22 Q. And what were people selling for you?
 23 **A. Heroin.**
 24 Q. Heroin. Okay.

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1 Anything else besides heroin?
 2 **A. That's it.**
 3 Q. What about weed?
 4 **A. (Shaking head.)**
 5 Q. No?
 6 **A. No.**
 7 Q. Cocaine?
 8 **A. No.**
 9 Q. Molly or ecstasy?
 10 **A. No.**
 11 Q. Did Lamarius sell drugs for you?
 12 **A. At one point in time. If he was over there**
 13 **hanging out, yeah, then he would have.**
 14 Q. And he wasn't a CVL?
 15 **A. Huh-uh.**
 16 Q. But he could still sell drugs for you?
 17 **A. Uh-huh.**
 18 Q. Is that a yes?
 19 **A. Yes. That's -- Anybody could come sell drugs,**
 20 **but you just can't sell your own drugs.**
 21 Q. Oh, you have to be selling drugs for another
 22 CVL member?
 23 **A. Exactly, yeah.**
 24 Q. Okay. How -- For what period of time did

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1 Lamarius sell drugs for you?
 2 **A. He didn't sell -- Like, it wasn't, like, he**
 3 **was just, like, over there selling drugs for me, but he**
 4 **was -- when he come around, he'll make some money and**
 5 **whatever like that, but he wasn't just, like, selling**
 6 **drugs for me just periods -- long periods of time. So**
 7 **he -- because he's not from over there. So if he wanted**
 8 **to make some money, he'd probably come make up some**
 9 **money and then go back to where he was going back to**
 10 **back where he from.**
 11 Q. Where was he from?
 12 **A. Around, like, Central Park, all through**
 13 **that --**
 14 Q. Okay.
 15 **A. -- Central Park, all around there.**
 16 Q. Why wasn't he selling drugs for, like, any
 17 Unknown area or the Unknown street gang controlled?
 18 MR. RAUSCHER: Object to foundation.
 19 BY THE WITNESS:
 20 **A. I don't know.**
 21 Q. Okay. So he would come to kind of the Walton
 22 and Lamon, Iowa and Lamon area and sell drugs for you?
 23 **A. Yeah.**
 24 Q. From time to time?

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1 **A. Yes.**
 2 Q. Was that pretty frequently?
 3 **A. It wasn't frequently. I guess whenever he**
 4 **really wanted some -- wanted some money or buying**
 5 **something or something like that.**
 6 Q. Okay. Did your sister Precious ever sell
 7 drugs for you?
 8 **A. (No response.)**
 9 Q. No? Is that a no?
 10 **A. No.**
 11 Q. Remember you have to verbalize.
 12 What about February Burrage?
 13 **A. Yes, at one point.**
 14 Q. Yes, he sold drugs for you?
 15 **A. Yeah.**
 16 Q. What about Troy?
 17 **A. Yes.**
 18 Q. Troy sold drugs for you?
 19 **A. Yes.**
 20 Q. 13 and Dre did not sell drugs for you. Right?
 21 **A. No.**
 22 Q. Okay. What about any of the mother of your
 23 children? Did they ever sell drugs for you?
 24 **A. No.**

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1 Q. Okay. You kind of laughed.
 2 Women don't do that?
 3 **A. Not them.**
 4 Q. Not them. Okay.
 5 Do you know an individual by the name of Ozell
 6 Jackson?
 7 **A. Yes.**
 8 Q. Is he a friend of yours?
 9 **A. Yes.**
 10 Q. Was he a CVL?
 11 **A. Yes.**
 12 Q. Would Ozell Jackson sell drugs for you?
 13 **A. Yes.**
 14 Q. Is he still a friend of yours?
 15 **A. Yeah, you could say that he's still a friend.**
 16 **I haven't seen him since I been out, though.**
 17 Q. Anyone that you recall that would sell drugs
 18 for you? Names?
 19 **A. You just named a lot of people. I just told**
 20 **you, so I don't know who else you want me to ...**
 21 Q. Well, I named those people.
 22 Do you recall, as you sit here today, anybody
 23 that sold drugs for you?
 24 **A. A lot of people. That's what I'm saying.**

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1 **Like, a lot of people sold drugs for me.**
 2 Q. Give me an idea of how many people we're
 3 talking about.
 4 **A. Whoever that stood out there and came around**
 5 **and if they sold -- if they were selling any type of**
 6 **drugs at that time, they were selling drugs for me. So**
 7 **it might be some people I might not even know that --**
 8 **that was -- that -- that came out there and sold some**
 9 **drugs.**
 10 Q. But are we talking, like, 20 to 50 people?
 11 **A. No. Probably maybe -- maybe 10, maybe 12,**
 12 **maybe 15. It depend -- It ain't gonna be like it just**
 13 **all happening at one time, like everybody just standing**
 14 **out there with drugs on them. It wasn't like that. But**
 15 **you have this person might come, he leave, then another**
 16 **person might come out there and sell drugs and he**
 17 **leaves, this person. Like, you know what I'm saying?**
 18 **It wasn't like they was just all standing out there**
 19 **everybody just selling drugs out there at one time. So**
 20 **that's why I said, like, it was so many different people**
 21 **that was outside around that time.**
 22 Q. So is it accurate to say that in the 2008,
 23 2009 time frame, that you were running and controlling
 24 the block at Iowa and Lamon and Walton and Lamon?

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1 **A. You could say that, yeah.**
 2 Q. Do you know an individual by the name of
 3 Jamon Winters or Jamion Winters?
 4 **A. Jamion, yeah.**
 5 Q. Is he a friend of yours?
 6 **A. Yeah.**
 7 Q. Yes?
 8 **A. Yeah.**
 9 Q. Going back to Ozell, does he have a nickname?
 10 **A. OJ.**
 11 Q. Did you ever communicate with OJ when you were
 12 incarcerated or in prison or jail?
 13 **A. No.**
 14 Q. Did you ever see him when you were in prison
 15 or jail?
 16 **A. No.**
 17 Q. Jamion Winters, does he have a nickname?
 18 **A. Yeah, Big Shorty.**
 19 Q. Was he a CVL member?
 20 **A. I don't think so. He was GD.**
 21 Q. And was GD, is that Gangster Disciples?
 22 **A. Yeah.**
 23 Q. Were they People or Folk's?
 24 **A. They Folk's.**

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1 Q. Folk's.
 2 Would Jamion Winters ever -- Did Jamion
 3 Winters ever sell drugs for you?
 4 **A. He'd sell drugs for me.**
 5 Q. Yes?
 6 **A. Yes.**
 7 Q. And that would have been in the area of Iowa
 8 and Lamon and Walton and Lamon?
 9 **A. Lamon and Walton, yes.**
 10 Q. Were there any other areas that you kind of
 11 were controlling and selling drugs in?
 12 **A. No.**
 13 Q. Just those two blocks?
 14 **A. Yes.**
 15 Q. Have you seen Jamion Winters since you got out
 16 in 2022?
 17 **A. I think he was in jail when I -- he been in --**
 18 **No, I haven't seen him.**
 19 Q. Okay.
 20 **A. He was in jail when I got out.**
 21 Q. Have you communicated with him since you got
 22 out?
 23 **A. I think I did.**
 24 Q. How did you communicate with him?

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1 **A. Through -- I think I -- think I said something**
 2 **to him through Snapchat because he had text my -- he**
 3 **text Shanice and said something to her and she felt**
 4 **uncomfortable about it. So I told him, don't text her**
 5 **no more.**
 6 Q. Is he still a friend of yours?
 7 **A. He cool.**
 8 Q. You just don't -- Like, he's not someone that
 9 you see on a frequent basis?
 10 **A. Exactly.**
 11 Q. Okay. When you were in jail or in prison, did
 12 you ever communicate with Jamion Winters?
 13 **A. Huh-uh.**
 14 Q. Is that a no?
 15 **A. No.**
 16 Q. You ever spoken to Jamion Winters about the
 17 Hanford shooting or your -- or your criminal case?
 18 **A. No.**
 19 Q. You haven't spoken to --
 20 **A. No.**
 21 Q. What about Ozell Jackson?
 22 Have you ever spoken to Ozell Jackson about
 23 your criminal case or the shooting of Hanford?
 24 **A. No.**

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1 Q. Never spoke to him?
 2 **A. No.**
 3 Q. Is my statement correct, you've never spoken
 4 to him?
 5 **A. Never spoken to him.**
 6 Q. Okay. Do you know an individual by the name
 7 of Johntay Washington?
 8 **A. Yes.**
 9 Q. And what's his nickname?
 10 **A. Tay.**
 11 Q. Tay.
 12 **A. Tay Black. Tay -- Tay Black.**
 13 Q. Tay Black?
 14 **A. Yeah.**
 15 Q. Okay. Was he a CVL?
 16 **A. Yeah.**
 17 Q. Was he a friend of yours?
 18 **A. He cool. I haven't talked to him in probably**
 19 **like two years, though.**
 20 Q. But you did talk to him when you got out?
 21 **A. Yeah.**
 22 Q. Is there a reason why you stopped talking to
 23 him?
 24 **A. Just a misunderstanding. Just ...**

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1 Q. What's the mis- -- Is the misunderstanding in
2 connection to your case?
3 **A. No.**
4 Q. What's the misunderstanding about?
5 **A. Just -- Just us had a little**
6 **disagreement/argument about a little something -- a**
7 **little joke I made with him and he took it out of**
8 **proportion and we just ain't talk since.**
9 Q. Did Johntay Washington sell drugs for you?
10 **A. Yeah, at one point.**
11 Q. And he -- I'm sorry, you said he was a CVL?
12 **A. Uh-huh.**
13 Q. Yes?
14 **A. Yes.**
15 Q. Yes. Okay.
16 Well, when you were locked up, did you ever
17 communicate with Johntay Washington?
18 **A. I probably -- I probably talked to him a few**
19 **times when I was in jail.**
20 Q. Was that because he was in jail or he came to
21 visit you?
22 **A. No, over the phone probably.**
23 Q. Okay.
24 **A. Most likely.**

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1 Q. Did you ever talk to Johntay Washington about
2 your criminal case?
3 **A. I probably told him I need him to sign the**
4 **affidavit for me.**
5 Q. When did you tell him that?
6 **A. Probably when I was -- Probably when I got --**
7 **Probably, like, on my post-conviction maybe I think.**
8 Q. And so you were -- you would have been in
9 prison at that time?
10 **A. Yes.**
11 Q. And so you called him on the phone?
12 **A. Yeah. I ain't probably -- If I did, I**
13 **probably had somebody three-way him or something like**
14 **that probably because I probably ain't have no money on**
15 **that phone at that time.**
16 Q. Okay. And you called him and you asked him to
17 give an affidavit?
18 **A. I say I need you -- I just told him, like, I**
19 **need you to get up with my lawyer and sign the affidavit**
20 **because they saying -- Oscar saying -- you said -- Oscar**
21 **say you -- this person, this person, this person was**
22 **there, so I need y'all to, you know, let it be known**
23 **what -- what -- that y'all wasn't there.**
24 Q. Okay.

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1 **A. That he lyin'.**
2 Q. So you're saying Oscar -- we're talking about
3 Oscar Russell. Right?
4 **A. Oscar Russell.**
5 Q. Okay. You told Johntay Washington sometime
6 around -- before your post-conviction was filed. Right?
7 **A. Probably when it was filed.**
8 Q. When it was filed?
9 **A. Yeah.**
10 Q. Okay.
11 **A. Well, not before -- not -- yeah, in the time**
12 **of, you know, the -- she doing the petition. When Jodi**
13 **was doing the petition. In -- In that aspect.**
14 Q. Okay. And do you remember when it was when
15 she first signed the petition?
16 **A. Do I know what who?**
17 Q. When Jodi Garvey first filed the petition for
18 you.
19 **A. I don't remember. I know we hired her in**
20 **like -- I think that is June 2024 if I'm -- if I'm not**
21 **mistaken.**
22 Q. June ...
23 **A. 20- -- I mean 2014, I'm sorry.**
24 Q. Okay.

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1 **A. 2014. June 2014.**
2 Q. And Jodi Garvey was your attorney that
3 represented you on your post -- during your
4 post-conviction proceedings?
5 **A. Yes.**
6 Q. Okay. I have -- I show a date of -- of
7 June 24th, 2014, when she filed a post-conviction
8 petition.
9 **A. I think that's, like, around -- that's when we**
10 **hired -- I think that's when we hired her I think or**
11 **that's when she filed it, but I know that's when we**
12 **hired her, in 20- -- I mean, yeah, 2014.**
13 Q. Okay. So sometime before June of 2014 you
14 called Johntay Washington up?
15 **A. Yes. Yes.**
16 Q. Okay. Do you remember where you were when you
17 called him?
18 **A. At Menard.**
19 Q. Menard. Okay.
20 Was this, like, the first time you spoke to
21 him when you were in Menard?
22 **A. Yeah. Around that time, like, around -- yeah,**
23 **because Menard usually be on lockdown like that and I**
24 **really wasn't even really talking to too many people**

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1 like that because phone calls was, like, \$10 -- \$10 each
 2 call, so it's, like, really just wasting calls just to
 3 be trying to talk.
 4 Q. And then you stated -- you said you did a
 5 three-way?
 6 A. Yeah, a three-way.
 7 Q. Who would have been involved in the three-way?
 8 A. Don't know. Probably maybe my mother or
 9 Talisa maybe. I don't know. I just -- I had a few
 10 people that had money on the phone, so ...
 11 Q. Okay. And when you called -- when you called
 12 him, did you explain to him what Oscar Russell was
 13 saying?
 14 A. I think I just told him, like, I need you to
 15 get up with my lawyers. I think Oscar -- Oscar saying
 16 that this, this -- that you, this person, this person,
 17 all these was right there or something. That's probably
 18 what I just said. He like, all right, just -- I'll get
 19 up with your lawyers and talk to them.
 20 Q. Okay. So you told him that Oscar Russell was
 21 saying that Johntay Washington was present for the
 22 shooting of 13?
 23 A. Uh-huh.
 24 Q. Is that a yes?

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1 A. Yes, yes.
 2 Q. Okay. Did Washington say -- Johntay
 3 Washington, did he say, yeah, I was out there?
 4 A. He say he wasn't out there.
 5 Q. He wasn't out there. Okay.
 6 Did he say where he was?
 7 A. No, I don't know. No.
 8 Q. Okay. Did -- Did he tell you how he knew that
 9 he wasn't out there?
 10 A. I ain't go into all that.
 11 Q. Okay. And he told you that he would get with
 12 your lawyer?
 13 A. Yeah.
 14 Q. Did he tell you anything else?
 15 A. No.
 16 Q. Did he tell you that he had been interviewed
 17 by the police?
 18 A. Oh, yeah, I knew they -- I was out when they
 19 got interviewed by the police.
 20 Q. Okay. When you say "out," you mean this was
 21 before your arrest?
 22 A. Yeah.
 23 Q. Did Wash- -- Johntay Washington talk to you
 24 about being interviewed by the police?

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1 A. I think -- I think he -- I think he did.
 2 Q. Is that how you knew?
 3 A. I knew -- I -- I knew when --
 4 MR. RAUSCHER: Sorry, object to form.
 5 BY THE WITNESS:
 6 A. I knew -- Because you were saying how I
 7 knew ...
 8 Q. How did you know -- You said, I knew that --
 9 To my earlier question, you said that, I knew the police
 10 had interviewed him when I was out.
 11 How did you know the police had interviewed
 12 Johntay Washington before your arrest?
 13 A. Because I had -- he told me.
 14 Q. Okay. What did he tell you?
 15 A. He had got interviewed by the police.
 16 Q. Did he tell you what the police asked him?
 17 A. He said they brought my name up.
 18 Q. Okay.
 19 A. And they brought my cousin name up.
 20 Q. Did he tell you what he told the police?
 21 A. He had -- No, he don't know -- Nothing what --
 22 He said, whoever telling y'all that or something, that
 23 they lying.
 24 Q. I'm sorry?

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1 A. Whoever telling y'all something, they lying.
 2 Q. That's what he told the police? Okay.
 3 Did he tell you how the police brought your
 4 name up and Lamarius's name up?
 5 A. No, I don't remember.
 6 Q. Who else were you aware of the police
 7 interviewing before your arrest in March of 2009?
 8 MR. RAUSCHER: Object to form.
 9 BY THE WITNESS:
 10 A. You say who -- do I know who all they
 11 interviewed?
 12 Q. Yeah.
 13 A. Because everybody that they interviewed, they
 14 from over Iowa, so I -- I knew.
 15 Q. Right. Who are those people?
 16 A. I think they interviewed February, Shannon
 17 James. I think, if I'm not mistaken, Ozell, Johntay. I
 18 think Jamion Winters. I don't -- They interviewed a lot
 19 of people I think.
 20 Q. Okay. And did you know that the police were
 21 interviewing those people in the 2008 time frame because
 22 you saw the police picking them up or because these
 23 people were your friends and they came and told you?
 24 MR. RAUSCHER: Object to form.

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1 BY THE WITNESS:

2 **A. I don't know why -- You say why they who? Say**
3 **that again.**

4 Q. Let -- Let me try again.

5 Did February tell you that the police had
6 interviewed him?

7 **A. February, yes.**

8 Q. Okay. What did he tell you about the police's
9 interview?

10 **A. Same thing. That they brought my name up,**
11 **brought my cousin name. He told them that -- He said he**
12 **told them how he ain't -- he ain't -- he ain't know**
13 **nothing about what they -- whoever seen -- something**
14 **like that. He ain't know who -- what they talking**
15 **about.**

16 Q. Okay. Did February tell you that he told the
17 police that he wasn't out there at the time of the
18 murder?

19 **A. I think he said he told them he ain't know**
20 **what they talking about. I don't know exactly what he**
21 **said.**

22 Q. Did Johntay tell you -- Johntay Washington,
23 did he tell you that he told the police that he wasn't
24 out there at the time of the murder?

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1 **A. Yeah.**

2 Q. Okay.

3 **A. He said he told them the same thing, he ain't**
4 **know what they talking about.**

5 Q. And then you mentioned a Shannon James.
6 Was that a friend of yours?

7 **A. He was around. He was -- He's around.**

8 Q. Was he a CVL?

9 **A. No.**

10 Q. How do you know the police interviewed Shannon
11 James before your arrest in 2009?

12 **A. I think when they -- I think when they was**
13 **talking about who all got arrested, so I think -- so**
14 **everybody said that they said whoever was saying**
15 **something to the police, that they was lying, so that's**
16 **how pretty much. It's not everybody just calling and**
17 **periodically just told me, like, yeah they told this. I**
18 **ain't talk to all of them.**

19 Q. Okay. Did you talk to James -- Shannon
20 James --

21 **A. No.**

22 Q. -- about being interviewed by the police?

23 **A. No.**

24 Q. So you don't know what Shannon James told the

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1 police?

2 **A. No.**

3 Q. Is -- Is that correct?

4 **A. I don't know -- I didn't know what he told**
5 **them.**

6 Q. Okay. Ozell Jackson, you believe he was
7 interviewed by the police?

8 **A. I think so.**

9 Q. How do you know that?

10 **A. I think I seen his name. Only I knew --**

11 Q. Okay.

12 **A. -- because his name was in -- I think in the**
13 **police report.**

14 Q. Did you talk to Ozell Jackson before your
15 arrest about being interviewed by the police?

16 **A. Don't think so.**

17 Q. Sorry?

18 **A. No.**

19 Q. No. And you mentioned Jamion Winters.

20 Did Jamion Winters tell you that he had been
21 interviewed by the police?

22 **A. I don't think he did.**

23 Q. When you asked Johntay to get with your
24 lawyer, did you ask him that you needed -- did you tell

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1 him that you needed an affidavit from him?

2 **A. Yes.**

3 Q. And did he agree to give one?

4 **A. He said he gone get it -- He gone talk to him.**

5 Q. Okay. Did you ever see the affidavit that he
6 provided?

7 **A. Yes.**

8 Q. Who drafted the affidavit?

9 **A. I don't know.**

10 Q. Okay. Did you draft it?

11 **A. No.**

12 Q. Did Shannon James, did he sell drugs for you?

13 **A. He used to be out there, so he probably did.**

14 **Not necessarily like I just gave him some like that, but**
15 **he was out there.**

16 Q. Did he have a nickname?

17 **A. No, he -- everybody call him by his name,**
18 **Shannon.**

19 Q. And have you spoken to him since your release?

20 **A. No.**

21 Q. Did you speak to him while you were in custody
22 either in Cook County Jail or in prison?

23 **A. No.**

24 Q. Do you know an individual by the name of

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1 Antonio Winters?
 2 **A. Antonio Winters? Antonio White?**
 3 Q. Or -- Or White.
 4 **A. Yeah.**
 5 Q. Yeah.
 6 What's his nickname?
 7 **A. Tone.**
 8 Q. Tone. Okay.
 9 So his last name is White?
 10 **A. Yeah.**
 11 Q. Okay. Was he a friend of yours?
 12 **A. Yeah.**
 13 Q. CVL?
 14 **A. Yeah.**
 15 Q. And would Tone sell drugs for you?
 16 **A. No.**
 17 Q. Have you seen or communicated with Tone since
 18 your release in 2022?
 19 **A. He passed away.**
 20 Q. When did he pass away?
 21 Do you know?
 22 **A. 2016.**
 23 Q. Before he passed away and after you were
 24 arrested, did you ever speak to him about the shooting

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1 of Hanford?
 2 **A. When he passed, did I speak to him about it?**
 3 Q. Before he passed.
 4 **A. That's one of my real -- That's one of my real**
 5 **friends right there, so he knew everything that was**
 6 **going on.**
 7 Q. Okay. When you say he was one of your real
 8 friends, like, he was a close friend?
 9 **A. (Nodding.)**
 10 Q. Is that a yes?
 11 **A. Yes.**
 12 Q. Did the police -- Did Anton -- Antonio White,
 13 Tone, did he ever tell you that the police interviewed
 14 him?
 15 **A. Uh-huh.**
 16 Q. That's a yes?
 17 **A. Yes, yes.**
 18 Q. Okay. Did he tell you about the interview?
 19 **A. He had said something about they said -- they**
 20 **mentioned my name. He said he told them that, no, he**
 21 **ain't do that. Something like that.**
 22 Q. So did Tone tell you that he -- the police
 23 interviewed him before you were arrested in March
 24 of 2009?

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1 **A. Yeah.**
 2 Q. Was Tone -- Did -- Strike that.
 3 Did Oscar Russell say that Tone was out there
 4 at the time of the murder?
 5 **A. I don't -- I don't -- I don't think so. I**
 6 **don't really -- I don't think so.**
 7 Q. There were other people that gave affidavits
 8 that were attached to your post-conviction petition that
 9 was filed by Jodi Garvey on your behalf in 2014.
 10 Correct?
 11 **A. Yes.**
 12 Q. Did you ask any of those individuals to
 13 provide affidavits?
 14 **A. I didn't -- I just basically told Jodi --**
 15 **MR. RAUSCHER: Hold on. Hold on one second.**
 16 **Don't -- Don't talk about your conversations --**
 17 **THE WITNESS: Oh, oh. Oh, okay.**
 18 **MR. RAUSCHER: -- with your post-conviction**
 19 **lawyers.**
 20 **BY THE WITNESS:**
 21 **A. Well -- Can you ask the question again?**
 22 Q. Sure.
 23 **MR. ITCHHAPORIA: Sorry, can I get that question?**
 24 **THE COURT REPORTER: Sure.**

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1 (Record read as requested.)
 2 **MR. RAUSCHER: Can you just -- Can I just ask just**
 3 **for potential privilege issues?**
 4 **MS. ITCHHAPORIA: Yeah -- Wait, sorry. I'm sorry?**
 5 **MR. RAUSCHER: I was gonna -- I bet you're going to**
 6 **say the same thing.**
 7 **BY MS. ITCHHAPORIA:**
 8 Q. Yeah, I don't -- I don't want to know about
 9 conversations that you had with Ms. Garvey, so I'm
 10 saying other people that gave affidavits that were
 11 attached to your post-conviction other than we talked
 12 about one, right, Johntay Washington.
 13 Did you ask those people to provide
 14 affidavits?
 15 **MR. RAUSCHER: Can I just -- Sorry, just to be**
 16 **careful about it, you just mean him personally. Right?**
 17 **MS. ITCHHAPORIA: Yes.**
 18 **BY MS. ITCHHAPORIA:**
 19 Q. You personally.
 20 **A. Me personally?**
 21 Q. Yes.
 22 **A. Me personally? No. No, I don't think I did.**
 23 Q. Okay. Did you tell any -- any of these people
 24 that gave affidavits that were attached to your

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1 post-conviction to contact your lawyer?

2 **A. Think she did on her own.**

3 Q. Okay.

4 MR. RAUSCHER: Just -- Just be careful and listen
5 to the question --

6 **THE WITNESS: Okay.**

7 MR. RAUSCHER: -- so you don't accidentally reveal
8 privileged information.

9 BY MS. ITCHHAPORIA:

10 Q. Quinton Davis gave an affidavit that was
11 attached to your post-conviction. Correct?

12 **A. Yes.**

13 Q. Did you ask Quinton Davis to give an
14 affidavit?

15 **A. Did I ask Quinton Davis to give an affidavit?
16 I think I may -- I did -- may have asked him.**

17 Q. Okay. Ozell Jackson provided an affidavit.
18 Correct?

19 **A. Yes.**

20 Q. Did you ask Ozell Jackson to provide an
21 affidavit?

22 **A. No.**

23 Q. We mentioned this a few times, Oscar Russell.
24 Do you know him?

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1 **A. Yes.**

2 Q. Is he -- Was he a CVL?

3 **A. No.**

4 Q. Did he sell drugs for you?

5 **A. Yes.**

6 Q. Was he a friend of yours?

7 **A. No.**

8 Q. Is he currently a friend of yours?

9 **A. No.**

10 Q. Have you communicated with him since your
11 release in 2022?

12 **A. He reached out to me.**

13 Q. How did he reach out to you?

14 **A. He called me. He called me and he sent text
15 messages.**

16 Q. And did you respond to him?

17 **A. I think when he texted me, whatever he was
18 saying, like, he was drunk or something. I don't know.
19 It was a whole bunch of gibberish stuff and just steady
20 apologizing in that nature, but I really ain't really
21 have no -- I just -- because I really, like -- because I
22 know what is going on and all this, so I really ain't
23 trying to have no conversation with you or nothing like
24 that.**

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1 Q. So when he called you, did you speak to him on
2 the phone?

3 **A. He called me -- Yeah, I did.**

4 Q. When did he call you?

5 **A. I don't remember exactly when, but I think
6 when he did call me, he end up texting, like,
7 afterwards, so I screenshotted the text messages, so it
8 probably went off in that -- in that time frame, but I
9 don't remember, like, exactly when -- I don't even
10 remember when I screenshotted the -- the text messages.**

11 Q. Okay. So he called you.

12 And how long was the phone conversation?

13 **A. It wasn't that long because I wasn't trying to
14 talk to him. I was -- He was steady, I'm sorry, bro, I
15 was in -- I was in a jam, I had to say -- I was trying
16 to save myself, I'm sorry, this, this, that. I'm like,
17 It's all good, bro, I forgive you, I ain't tripping on
18 it, live your life.**

19 Q. Okay. So it was a short conversation?

20 **A. Short.**

21 Q. Did you talk about the shooting of Hanford?

22 **A. Didn't talk about nothing.**

23 Q. But when he said he was sorry, what -- did he
24 say what he was saying sorry for?

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1 **A. He was saying sorry because he lied on me.**

2 Q. Is that what he said?

3 **A. Yeah.**

4 Q. And he said he was trying to save himself?

5 **A. Yeah.**

6 Q. Did he say any -- why he lied on you?

7 **A. Just so he could save himself from I guess
8 going to jail.**

9 Q. And you told him, it's all good, I forgive
10 you?

11 **A. Yeah.**

12 Q. And then he texted you after the call?

13 **A. Yeah.**

14 Q. The same day?

15 **A. I think it was maybe. I think it was the same
16 day because I really wasn't -- really trying to I guess
17 communicate with him, and so I guess he still had more
18 that he probably wanted to say.**

19 Q. Okay.

20 **A. I just -- But that's just me, I just like, I'm
21 cool, you ain't got to call me, just -- I forgive you,
22 just live your life. Enjoy your -- live your life,
23 don't sweat it. I'm out -- Live your life. That's what
24 I tell him. I got off the phone with him and I think I**

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1 told my mother or something like he just -- then I
 2 reached out to my attorneys.
 3 MR. RAUSCHER: Hold on. Don't -- Don't talk about
 4 conversations with your attorneys.
 5 BY MS. ITCHHAPORIA:
 6 Q. Did you -- When he texted you, you texted him
 7 back. Right?
 8 A. I think I did.
 9 Q. What did you say to him in response?
 10 A. I don't really remember exactly everything I
 11 said, but I -- I sent it. I sent it. I gave the text
 12 messages, so I don't really remember exactly ...
 13 Q. Okay. Do you remember generally what you said
 14 back to him?
 15 A. Probably, I forgive you again. Probably, Live
 16 your life, enjoy yourself. That's pretty much it.
 17 Q. And have you had any communications with him
 18 since then?
 19 A. No.
 20 Q. Do you know how he got your number?
 21 A. Probably calling around asked -- asked
 22 probably from his cousin Jeremy or somebody maybe.
 23 Q. His cousin Jeremy is friends with you?
 24 A. He not really friends with me, but he -- he

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1 cool. He --
 2 Q. Okay.
 3 A. I talked to him a few times when -- when I got
 4 out. He was telling me congratulations and stuff like
 5 that.
 6 Q. Do you have any other mutual friends or
 7 contacts?
 8 A. Yes. His cousin, Tatiana.
 9 Q. What's Tatiana's last name?
 10 A. Lomax.
 11 Q. Lomax.
 12 What's Jeremy's last name?
 13 A. I don't remember. I don't know Jeremy's last
 14 name.
 15 Q. Okay. Did you ever ask Oscar Russell to
 16 provide an affidavit for your post-conviction?
 17 A. No.
 18 Q. Did you ever ask Tatiana Lomax or Jeremy to
 19 get Oscar Russell to give an affidavit for your
 20 post-conviction?
 21 A. I probably had conversations with her probably
 22 saying, like, how he -- he -- he lied on me and things
 23 in that nature.
 24 Q. With who?

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1 A. Tatiana.
 2 Q. You would talk to her when you were in prison
 3 about Oscar Russell?
 4 A. Yeah.
 5 Q. Were those phone conversations or visits?
 6 A. Conversations on the phone.
 7 Q. On the phone. Okay.
 8 And what would she say to you?
 9 A. I think at one point in time she had said
 10 probably -- she said something like he told her that --
 11 that they was trying to make him get down on me or
 12 something and he wasn't going or something like that and
 13 then I told her, like, that ain't true, he came to court
 14 et cetera, and lied, this, this.
 15 Then she said one day he end up calling her
 16 and was like, man, I got to keep it real. Something in
 17 that nature. Something like that I did lie on him.
 18 They had they own conversations, so I don't really know,
 19 like, the details of their conversation, but she said
 20 they had a conversation about he admitted to her that he
 21 lied on me.
 22 Q. Okay. So you had a conversation with Tatiana
 23 Lomax when you were in prison?
 24 A. Yes.

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1 Q. At Menard?
 2 A. Yes.
 3 Q. Where she told you that Oscar Russell admitted
 4 to her that he lied about you?
 5 A. Yes.
 6 Q. Was that, like, multiple conversations with
 7 her?
 8 A. I think she probably told me -- Probably a
 9 couple of times she probably said, like, they -- when
 10 they -- probably they conversations, them going back and
 11 forth, like her and him talking, she probably say, yeah,
 12 he said this or he said he was sorry and he want to talk
 13 to your lawyer. Things of that nature.
 14 Q. When -- When were you having these
 15 conversations, in what year, with Tatiana Lomax?
 16 A. I don't remember the year, but I was in
 17 Menard.
 18 Q. Okay. Were you surprised when Oscar Russell
 19 reached out to you?
 20 A. If -- When he called me when I was sitting at
 21 the --
 22 Q. Yeah.
 23 A. Yeah.
 24 Q. You said that he told you that he was gonna --

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1 he was trying to save himself from going to jail.
 2 Did you under -- understand what he meant when
 3 he said that?
 4 **A. Yeah.**
 5 Q. What did you understand that to mean?
 6 **A. I knew he had got arrested for drugs.**
 7 Q. And so in -- in order to avoid going to jail
 8 or prison, he -- he lied on you?
 9 **A. He lied on me, yeah.**
 10 Q. Is that what he told you?
 11 **A. That's what he said.**
 12 Q. When did you find out that Oscar Russell was
 13 claiming that you had shot 13?
 14 **A. When I -- When I got arrested.**
 15 Q. Who told you that, though?
 16 **A. Who told me?**
 17 Q. Yeah.
 18 **A. I think it was when -- when -- probably when**
 19 **my lawyer was telling me, like, who the --**
 20 Q. Was it --
 21 **A. That's it.**
 22 Q. Did the police tell you that Oscar Russell had
 23 claimed that you were --
 24 **A. Police never said nobody name.**

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1 Q. Okay. Let me get -- Let me get my question
 2 out, though.
 3 Did the police tell you that Oscar Russell was
 4 saying that you were involved in the shooting of 13?
 5 **A. No.**
 6 Q. Okay. You said the police didn't give you any
 7 names?
 8 **A. No.**
 9 Q. When Oscar Russell was selling drugs for you,
 10 was he a pretty good friend of yours?
 11 **A. Oscar wasn't my friend.**
 12 Q. Not your friend. Okay.
 13 Going to mark this as Exhibit 1 to your
 14 deposition. It's a group exhibit.
 15 MS. ITCHHAPORIA: And for the record, it's Bates
 16 marked Robinson 3544 to 3545.
 17 Can you mark that, please.
 18 (Robinson Deposition Group Exhibit
 19 No. 1 marked as requested.)
 20 BY MS. ITCHHAPORIA:
 21 Q. Mr. Robinson, the court reporter has handed to
 22 you what we've marked as Exhibit 1 to your deposition.
 23 Do you recognize what Exhibit 1 is?
 24 **A. Yes.**

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1 Q. What is it?
 2 **A. These are text messages.**
 3 Q. Okay. And the 815 number at the top there on
 4 the first page, 3544, do you know whose phone number
 5 that is?
 6 **A. Yes. I don't know exactly, but that's who --**
 7 **that's the number he called me off of.**
 8 Q. Okay. And when you say "he," that's Oscar
 9 Russell?
 10 **A. Oscar. Yeah.**
 11 Q. Is that correct?
 12 **A. Yes.**
 13 Q. Okay. So that kind of white gray box, that's
 14 Oscar Russell's message to you. Correct?
 15 **A. Yes.**
 16 Q. And then the blue box at the bottom, that's
 17 your message to him. Correct?
 18 **A. Yes.**
 19 Q. Okay. And then if you look at the next page,
 20 that's still a text message with Oscar Russell. Right?
 21 **A. Yes.**
 22 Q. And again, the gray boxes are Oscar Russell's
 23 messages -- text messages to you?
 24 **A. Yes.**

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1 Q. And the blue -- blue boxes are text messages
 2 that you sent to him. Right?
 3 **A. Yes.**
 4 Q. And was this conversation, this text message
 5 conversation, was this all occurring on the same day?
 6 **A. No, I don't think -- No, I don't think it was.**
 7 **These were different days.**
 8 Q. They were different days?
 9 **A. Yeah.**
 10 Q. My understanding is that these text messages
 11 were exchanged on July 13th, 2024.
 12 Do you have a reason to disagree with that?
 13 **A. I don't remember.**
 14 Q. Okay. Why do you think they were on different
 15 days?
 16 **A. Because he talked to me about something and**
 17 **then he end up texting me again and talking about his**
 18 **cousin Jeremy that died.**
 19 Q. Okay. That's not in these two pages, is it?
 20 **A. It is.**
 21 Q. About his cousin Jeremy dying?
 22 **A. It's -- Because it go says -- it says, He**
 23 **gone -- He gone yo shid this where -- the information**
 24 **where it's gonna be.**

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1 He was talking about where the funeral was
 2 going to be at.
 3 Q. Okay.
 4 A. And I said, lght bet.
 5 Q. Okay. So the conversation that he has with
 6 Jeremy -- about Jeremy's funeral, that was on a
 7 different day than the text message that we're looking
 8 at --
 9 A. Yes.
 10 Q. -- on the first page?
 11 A. Yes.
 12 Q. Do you know how far apart they were?
 13 A. I honestly don't.
 14 Q. Okay.
 15 A. Because I don't remember, like -- I don't know
 16 exactly when Jeremy died and stuff like that, so I don't
 17 remember.
 18 Q. Okay. I want to look at on the first page,
 19 3544.
 20 That blue box that you sent to him, the text
 21 message -- text message, and it says -- can you tell me
 22 what it says?
 23 A. It says, Broski, on my kids' heartbeat, they
 24 shit can stop if -- if I don't mean what I'm --

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1 something. Then I don't know what else I said after
 2 that.
 3 Basically I was just telling him, like, bro,
 4 just -- you ain't got to keep talking to me about that.
 5 I ain't tripping because whatever -- I'm -- whatever --
 6 I haven't read this, but -- I read it before, but I
 7 ain't read it right now, but from what he saying, I'm
 8 basically just telling him broski, just leave it alone,
 9 let it be, go on about your way. That's how -- pretty
 10 much what I was saying.
 11 Q. The broski, O M K S, is on my kids' --
 12 A. Yeah.
 13 Q. -- heartbeat --
 14 A. Yeah.
 15 Q. -- they shit can stop if I don't mean what
 16 I'm --
 17 A. Saying. Basically whatever -- I probably --
 18 what else -- I don't -- I'm basically probably telling
 19 him, it don't matter to me. Like, I don't want to keep
 20 hearing about it. Just go on, live your life. That's
 21 all I'm telling him.
 22 Q. Where is the rest of this message that you
 23 sent to Oscar Russell?
 24 A. I don't know because I probably -- mainly I

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1 probably wasn't really -- when I was screenshotting it,
 2 I was more so focusing probably on what he was saying,
 3 so I probably just -- it was there, but, you know, when
 4 you screenshotting, it's like you just really -- I'm
 5 really showing what he's saying. Like, I won't --
 6 Q. Okay. So you just screenshotted the text
 7 message that Oscar Russell sent to you?
 8 A. Yeah.
 9 Q. And then you provided the screenshots to your
 10 attorney?
 11 A. Yeah.
 12 Q. And did you provide the screenshots to your
 13 attorney when they came in, when you were getting these
 14 messages?
 15 A. I think I did.
 16 Q. Okay. And then are these text messages with
 17 Oscar Russell still on your phone today?
 18 A. I doubt it.
 19 Q. Did you delete them?
 20 A. No, I ain't delete them. I just probably
 21 had -- I had got a different phone number.
 22 Q. Okay. You got a different phone number.
 23 When did you get a different phone number?
 24 A. I always change my phone number.

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1 Q. Okay. Do you know what phone number it was
 2 where he sent you this text?
 3 A. I honestly don't.
 4 Q. You don't know.
 5 But sometime after you got these text messages
 6 you changed your phone number?
 7 A. Maybe so, yeah, because I always change my
 8 number. I had probably ten numbers --
 9 Q. Well, you're saying maybe.
 10 A. -- since I been out.
 11 Q. Did you change your number?
 12 A. I don't know. It's -- I can't remember if
 13 from -- most likely I probably did. I don't remember.
 14 I probably didn't. I don't know if I changed it or not,
 15 but sometimes when my phone was overloaded, it'd erase
 16 messages because it's overcrowded with messages. So
 17 it'll go to delete. And then if it goes to the delete
 18 box, after 30 days, then it's going to erase, so it
 19 might have erased.
 20 Q. Well, you're saying it might have.
 21 Did it -- Did you erase it or not?
 22 A. I didn't erase it.
 23 Q. Okay. So where did the text message go?
 24 A. I don't know. It was -- When I tried to go

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1 **back and look again, it wasn't -- it wasn't there.**

2 Q. When did you try to go back and look?

3 **A. I don't remember exactly when I was trying to**
 4 **go back and look, but I was trying to make sure --**
 5 **because I was looking for a phone conversation, too,**
 6 **that he had -- that he had. The phone conversation, I**
 7 **was looking for that one, too, under recording app.**

8 Q. Okay. And did you find it?

9 **A. Huh-uh.**

10 Q. Is that a no?

11 **A. No.**

12 Q. Okay. When you sent whatever you sent on this
 13 blue box on the first page, did he text you back?

14 **A. I doubt it.**

15 Q. Why do you doubt it?

16 **A. Because I would've -- I would've -- I would --**
 17 **I probably would've screenshotted that, too.**

18 Q. Okay. Now, is it fair to say other than the
 19 two lines that we can see on the blue box, you don't
 20 know what else you said to him?

21 **A. I don't remember.**

22 Q. Okay. In this first box he says, I know I --

23 In the first box, it's, like, kind of, like, the third
 24 line down. He says, I know I fucked up big time by

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1 that you really understand where I'm coming from. I

2 never had it like you or the other big bros that's was
 3 playing the game.

4 Do you see that?

5 **A. Uh-huh.**

6 Q. Do you know what he means by when he says,
 7 that's what -- that's was playing the game?

8 **A. No, I don't.**

9 Q. Okay. Do you know what playing the game
 10 means?

11 **A. I don't.**

12 Q. Okay. He says, I just wanted to be like you.
 13 I just was young and dumb.

14 Do you see that?

15 **A. Yes.**

16 Q. Did you know back in the 2008 time frame that
 17 Oscar Russell looked up to you and wanted to be like
 18 you?

19 **A. No.**

20 Q. Okay. And he goes on to say, I just wish I
 21 was I was under you more so you could have told me how
 22 the game really works.

23 Do you see that?

24 **A. Uh-huh.**

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1 snitching.

2 Do you see that?

3 **A. Yeah.**

4 Q. Do you know what he meant by that?

5 **A. Yeah. Yes.**

6 Q. What did he mean by that?

7 **A. When he said -- When he lied on me.**

8 Q. That he lied on you?

9 **A. That's what I -- That's what I'm assuming,**
 10 **from when he lied on me.**

11 Q. Okay. When he lied on you to the police?

12 **A. Yeah.**

13 Q. Okay. And then he goes on to say, I always
 14 looked up to you out of all the big bros we had out
 15 there. Not saying names, but I really looked up to you,
 16 bro. And the shit I did to you, I deserve everything I
 17 have coming to me.

18 Do you see that?

19 **A. Yeah.**

20 Q. Were you one of his big bros?

21 **A. I guess that's what he looked at me as.**

22 Q. Okay. Were you older than him?

23 **A. Yeah.**

24 Q. Okay. He goes on to say, I just hope and pray

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1 Q. Is that a yes?

2 **A. Yes.**

3 Q. Does that mean -- Do you know what that means?

4 **A. I wish I could have been under you more, so**
 5 **you could have told me how the game really works. I**
 6 **guess he want -- felt like he -- wish he was around me**
 7 **more I guess.**

8 Q. Is he -- When he's saying the game really
 9 works, is he talking about, like, the drug game, like,
 10 selling drugs?

11 **A. I have no idea.**

12 Q. Okay. Was he under you more?

13 **A. He wasn't under me more.**

14 Q. Okay. Did you have people that were under
 15 you?

16 MR. RAUSCHER: Object to form.

17 BY THE WITNESS:

18 **A. Under me -- I think what he mean is probably**
 19 **me -- people that I have probably hang around me more,**
 20 **like, be around me. Not under me, but be -- Under me,**
 21 **they don't mean that it says, like, under me, like, as**
 22 **in I'm standing up here, they standing down here. It**
 23 **just means be around me more.**

24 Q. He says, I just was on one thing and one thing

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1 only and that's was the money so I could take care of my
2 little sister and brother, but I played myself, big bro.

3 Do you see that?

4 **A. Uh-huh.**

5 Q. Is that a yes?

6 **A. Yes.**

7 Q. So he's telling you in this message that the
8 only thing that he cared about was making money so he
9 could take care of his siblings?

10 **A. Yes.**

11 Q. Okay. Is that something that you were aware
12 of back in 2008 time frame when Oscar Russell was
13 selling drugs for you, that he was selling drugs to make
14 money for his family?

15 **A. No.**

16 Q. Okay. And he says, I'm really sorry. You can
17 save this message. I don't care. I know I fucked over
18 a real big dog, but just know I'm built different now,
19 big bro.

20 Do you see that?

21 **A. Yes.**

22 Q. Okay. Is that why you saved the message,
23 because he said to you that you could save it?

24 **A. That ain't why I saved it. I saved it just**

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1 **because he texted me and that's it.**

2 Q. Okay. And then he says -- do you know why he
3 refers to you as a real big dog?

4 **A. Huh-uh.**

5 Q. No?

6 **A. No.**

7 Q. Okay. All right.

8 Then the next -- You're saying that first box
9 there where it says image, that was the information for
10 the funeral for his cousin?

11 **A. Yeah.**

12 Q. And what was his cousin's name?

13 **A. Red, but his name Jeremy.**

14 Q. Jeremy?

15 **A. Yeah.**

16 Q. Okay. Oh, that's the one that we talked about
17 earlier whose last name you don't know?

18 **A. Yeah.**

19 Q. Okay. Did you go to Jeremy's funeral?

20 **A. Huh-huh.**

21 Q. No?

22 **A. No.**

23 Q. Okay. So you were -- you were kind of friends
24 with Jeremy?

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1 **A. Jeremy was cool, but I wasn't going to the**
2 **funeral or nothing like that, though.**

3 Q. Okay. Then there's a second text box -- text
4 message box.

5 Do you see that?

6 **A. Yes.**

7 Q. Do you know what that means?

8 **A. He said, Big bro, niggaz out here trying me**
9 **over that shit. Like, honestly red gone. I really want**
10 **to get it over with. I love you, though, big bro.**

11 **I don't know what he means by that.**

12 Q. Okay. Red is the nickname for Jeremy?

13 **A. Yeah.**

14 Q. Do you know why -- why people were trying him
15 over that shit?

16 Do you know what that means?

17 **A. No, I don't.**

18 Q. Okay.

19 **A. I told him, You great, enjoy your life. He**
20 **don't even be in Chicago, so I don't think -- he can't**
21 **be talking about nothing that's pertaining to -- with**
22 **me.**

23 Q. Okay. How do you know he's not in Chicago?

24 **A. Because everybody know he ain't in Chicago.**

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1 **He been -- He been -- left Chicago when I was in jail.**

2 Q. Where was he? Where is he?

3 **A. I don't know. Iowa. Something. I don't**
4 **know.**

5 Q. Okay. And then after this last box that
6 we're looking at on the second page, did you text him
7 back?

8 **A. Probably didn't.**

9 Q. Sorry?

10 **A. Most likely I didn't.**

11 Q. Okay. Do you know for sure?

12 **A. Pretty much I'm probably more sure I didn't**
13 **because --**

14 Q. Okay.

15 **A. -- I really wasn't trying to talk to him**
16 **honestly.**

17 Q. How sure are you that you didn't text him
18 back?

19 **A. Probably -- Probably like 99 percent,**
20 **100 percent that I didn't text him back. I didn't**
21 **really -- wasn't trying to have no conversation.**

22 Q. Okay. And do you have any other text messages
23 with Oscar Russell other than these two pages?

24 **A. I don't think I -- that's probably all I had.**

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1 Q. Okay.

2 MR. RAUSCHER: When you get a -- When we get to a
3 good point, can we take a quick break?

4 MS. ITCHHAPORIA: Yeah.

5 THE VIDEOGRAPHER: We are now off the record at
6 12:40 p.m.

7 (Lunch break.)

8 THE VIDEOGRAPHER: We are back on the record at
9 1:22 p.m.

10 BY MS. ITCHHAPORIA:

11 Q. Okay. Mr. Robinson, earlier we talked about a
12 conversation that you had with Lamarius on the phone on
13 the day of the homicide of 13 and you met with him at
14 Quinton Davis's grandmother's house.

15 Do you remember that testimony?

16 A. Yes.

17 Q. Okay. Other than that day, have you had any
18 other conversation with Lamarius Robinson about Lamarius
19 supposedly shooting 13?

20 MR. RAUSCHER: Object to form.

21 BY THE WITNESS:

22 A. Probably -- I probably did. We probably did
23 talk about it afterwards, like, some more days
24 afterwards, like, yeah. Probably, yes. Yes.

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1 Q. You said some days --

2 A. Yes.

3 Q. -- afterwards?

4 A. Yeah.

5 Q. Yeah.

6 How many days after the murder did you talk
7 with him again?

8 A. I don't remember.

9 Q. Okay. And what did he say to you at that
10 time?

11 A. Pretty much the same thing, what -- what
12 transpired. That was it.

13 Q. Did he -- Did Lamarius admit to you that
14 February and Troy were there?

15 A. Yes.

16 Q. Did he say anybody else was there?

17 A. No.

18 Q. Have you had additional conversations with
19 Lamarius over the years about his supposed involvement
20 in shooting 13?

21 A. No.

22 Q. So it was just the day of and then a few days
23 after?

24 A. Yeah.

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1 Q. Do you remember when Hanford was shot? Like,
2 the date?

3 A. Do I remember the day? I know -- I remember
4 it because -- from being, like, arrested about it and
5 being heard about it and talked about it, but that's
6 mainly it, yeah.

7 Q. Okay. What was the --

8 A. So I know -- I know the date.

9 Q. What was the date?

10 A. December 3rd.

11 Q. Okay. And do you remember what day of the
12 week it was?

13 A. No, I don't.

14 Q. Sorry?

15 A. No.

16 Q. Okay. And you said back then you had a cell
17 phone that you would carry around with you?

18 A. Yes.

19 Q. Did you just have one cell phone or multiple?

20 A. One.

21 Q. On -- On the day of the homicide of 13, do you
22 remember what time it was when you woke up?

23 A. Do I remember the time I woke up?

24 Q. Yeah.

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1 A. No.

2 Q. When you woke up that day, were you at your
3 house, your home?

4 A. I don't remember.

5 Q. Okay. Do you remember anything you did that
6 day?

7 A. No.

8 Q. Did you sell drugs that day?

9 A. I never sell drugs. Me doing -- You saying,
10 like, me selling drugs, like, giving hand to hand, I
11 never did that.

12 Q. Okay. Earlier you testified that you sold
13 drugs. Correct?

14 A. If you want to put it that way. Selling
15 drugs -- you might look at it, I'm thinking, like, if
16 you saying I sold drugs, me selling drugs, no, I don't
17 do that. I never do hand to hand. That's what I -- you
18 saying sell drugs, like somebody was selling drugs for
19 me, then most likely maybe, yeah.

20 Q. Okay. But earlier you testified that you sold
21 drugs. Correct?

22 A. I sold drugs -- Like, I don't sell drugs
23 myself. Like, me selling -- You might -- See, the way
24 that you might put it, like, if I say I sell drugs, I'm

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1 **thinking as, like, you sell drugs, like I think, like, a**
 2 **person saying, like, I sell drugs, like, me doing the**
 3 **hand-to-hand transaction where --**
 4 Q. Okay.
 5 **A. -- the person was buying it.**
 6 Q. Putting that aside.
 7 But earlier you said you sold drugs?
 8 **A. Yes.**
 9 Q. Are you changing your testimony now?
 10 **A. No.**
 11 Q. Okay. So you're saying you might not have
 12 been involved in the direct transaction?
 13 **A. Exactly.**
 14 Q. But you were there and you were definitely
 15 involved in it.
 16 Is that fair to say?
 17 **A. Yeah, you could say that, yeah.**
 18 Q. Okay. You just weren't the person that was
 19 physically providing the drugs or taking the cash?
 20 **A. Yeah.**
 21 Q. Okay. You had people that did that for you?
 22 **A. Yes.**
 23 Q. But you know that -- And you knew those people
 24 that were doing it for you, they were selling drugs?

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1 **A. Yes.**
 2 Q. Okay. So did you sell drugs or go on the
 3 street with the intention of selling drugs on that day?
 4 MR. RAUSCHER: Object to form.
 5 BY THE WITNESS:
 6 **A. I guess -- Yes, I guess. Yeah.**
 7 Q. You're saying you guess.
 8 You don't really remember?
 9 **A. I don't remember.**
 10 Q. Okay. What did you wear that day?
 11 **A. I don't remember.**
 12 Q. Did you talk to anybody that lived in the
 13 apartment with you?
 14 **A. Did I talk to them?**
 15 Q. Yeah.
 16 **A. I don't -- I don't remember.**
 17 Q. You said your mom and Precious lived with you
 18 at 1656 at the time?
 19 **A. Yeah.**
 20 Q. Do you remember any conversations with your
 21 mom or your sister that day?
 22 **A. No.**
 23 Q. Do you know what time it was that 13 was shot?
 24 **A. No.**

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1 Q. Where are you claiming that you were at the
 2 time of 13's shooting?
 3 MR. RAUSCHER: Object to form, argumentative.
 4 BY THE WITNESS:
 5 **A. At my mother job.**
 6 Q. Sorry?
 7 **A. At my mother job.**
 8 Q. How do you know you were at your mother's job?
 9 **A. Because I got the call when -- when it**
 10 **happened and I was still at her job.**
 11 Q. And what time did you get the call?
 12 **A. I don't remember what time it was.**
 13 Q. Do you remember what time of the day it was?
 14 Like, was it light, was it --
 15 **A. It was nighttime.**
 16 Q. Sorry?
 17 **A. It was nighttime.**
 18 Q. Nighttime.
 19 So it was dark outside?
 20 **A. Yes.**
 21 Q. Other than it was nighttime, can you be any
 22 more specific about what time it was when you got the
 23 call from Lamarius?
 24 **A. Whatever time I had to pick my mother up, so**

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1 **in that time frame. What -- Whatever time she got off**
 2 **work I was up there to pick her up, so I don't really**
 3 **know, like, exactly what time he got killed. I don't**
 4 **know that.**
 5 Q. Okay. What time did you pick her up from
 6 work?
 7 **A. Probably like 9:00 -- 9:00-something. 9:30.**
 8 **9:00 -- 9:30 I think.**
 9 Q. Was it 9:00 or 9:30?
 10 **A. One of them. I don't know honestly.**
 11 Q. Okay. Before you went to your mom's job, do
 12 you remember anything that you did that day?
 13 **A. Pretty much just probably rolled around,**
 14 **riding around. It's time to go pick her up, then got on**
 15 **the E-way and went to go pick her up.**
 16 Q. What car were you driving?
 17 **A. Hers.**
 18 Q. And what kind of car was it?
 19 **A. A red I think Monte Carlo.**
 20 Q. What year?
 21 **A. I don't know the year.**
 22 Q. How many doors?
 23 **A. Two.**
 24 Q. Why wasn't she driving her own car?

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1 **A. She let me drive her car.**
 2 Q. She let you drive her car?
 3 **A. Yeah.**
 4 Q. Was that frequent where you would drive her
 5 car?
 6 **A. Whenever I asked her to.**
 7 Q. And why would you need her car?
 8 **A. I don't know. I -- I don't remember if my car**
 9 **was in the shop or something. I don't know. Probably.**
 10 **Probably my car was in the shop.**
 11 Q. What kind of car did you drive in 2008?
 12 **A. I had two cars at the time. I had a Lincoln**
 13 **Continental, and I had a -- like, a old school, like,**
 14 **a -- probably, like, a '87 Cutlass Salon.**
 15 Q. An '87 what?
 16 **A. Cutlass Salon.**
 17 Q. Okay. How -- What color was the Lincoln
 18 Continental?
 19 **A. White.**
 20 Q. And what color was the other car?
 21 **A. It was like a maroon, burgundy-like type.**
 22 Q. So the '87 Salon was a maroon --
 23 **A. Yeah, maroon and --**
 24 Q. -- color?

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1 **A. Maroon and gray, yeah.**
 2 Q. Okay. So that day, did you ask your mom if
 3 you could use her car?
 4 **A. I think I did, yeah.**
 5 Q. And she said yes?
 6 **A. Yeah.**
 7 Q. Okay. Then you said you rode around in her
 8 car?
 9 **A. Yeah. Something I do on the regular.**
 10 Q. Sorry?
 11 **A. Something I do on the regular.**
 12 Q. Okay. Where would you ride around?
 13 **A. Everywhere.**
 14 Q. Where did you ride around that day?
 15 **A. I don't remember where -- exactly where I rode**
 16 **around.**
 17 Q. Did you ride around with anyone?
 18 **A. Probably did have a few people with me maybe.**
 19 **I don't remember --**
 20 Q. You're saying probably.
 21 **A. I don't remember, though.**
 22 Q. Okay. Do you remember speaking to anybody
 23 before you went to pick your mom up?
 24 **A. Speaking to -- No. No, no.**

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1 Q. How did you know what time you had to go pick
 2 your mom up?
 3 **A. She always said when she give me her car make**
 4 **sure you be here at this time.**
 5 Q. Would she -- When would she give you a call to
 6 say pick her up?
 7 **A. She always be -- She might have called me.**
 8 **When we -- Like, if I asked her for it, she like, I got**
 9 **to go to work at this time. All right. And then what**
 10 **time you get off, I get off at this time. Then she**
 11 **probably will call me and just be making sure that I'm**
 12 **on my way, be on -- just be -- make sure you on time to**
 13 **get me.**
 14 Q. Now, do you remember your mom actually
 15 calling you to make sure that you were picking her up on
 16 time?
 17 **A. I don't remember.**
 18 Q. Okay. Would you frequently pick your mom up
 19 from work?
 20 **A. Whenever I had her car.**
 21 Q. How often was it that you had her car?
 22 **A. Whenever I may ask -- Well, I don't know**
 23 **exactly, like, how frequently I have it, but I ask her**
 24 **from time to time if I need.**

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1 Q. Where did your mom work?
 2 **A. At I think Dominick's at the time.**
 3 Q. And where was the Dominick's located?
 4 **A. Halstead.**
 5 Q. Halstead and what?
 6 **A. And I think Madison.**
 7 Q. How long would it typically take to get from
 8 1656 North Central to Halstead and Madison?
 9 **A. I wouldn't know. It ain't -- It wasn't no**
 10 **GPSs back then, so I wouldn't really know.**
 11 Q. Yeah, but just you've driven it multiple
 12 times. Right?
 13 **A. Yeah, but I really never looked at the times.**
 14 **Like, I just know I just got to be there at a certain**
 15 **time and I'll be -- I'll -- I'll leave, so I really**
 16 **didn't know, like, how long it took me. I wasn't really**
 17 **paying attention to that. I just knew that she get off**
 18 **at this time, going to start heading that way.**
 19 Q. What did your mom do at Dominick's?
 20 **A. Oh, I guess she was a cashier I guess.**
 21 Q. You're guessing or you -- you know?
 22 **A. I'm assuming that's what she did. That's what**
 23 **she used to be where I walked up at the service desk or**
 24 **something like that. So I guess cashier --**

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1 Q. Do you know how --
 2 **A. Something like that.**
 3 Q. -- how long your mom worked at Dominick's for?
 4 **A. No.**
 5 Q. Like, was it, like, something she did for a
 6 few years, long period of time?
 7 **A. Ever since I been knowing my mother be**
 8 **working, she worked at some form of grocery store. So**
 9 **it was -- I think it used to be called Omni's a long**
 10 **time ago I think that worked at Omni's and Dominick's**
 11 **all I got. I don't know how many years it was. I never**
 12 **really paid that -- like, I can't tell you how long, but**
 13 **she worked there for a while I guess.**
 14 Q. So that day, you had to pick her up around
 15 9:00 or 9:30?
 16 **A. Yeah.**
 17 Q. Do you know what time her shift ended?
 18 **A. I don't.**
 19 Q. Do you know what time it was when you went to
 20 pick her up?
 21 **A. I don't.**
 22 Q. Do you remember where you were when you --
 23 where physically you were when you decided that you had
 24 to go pick her up?

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1 **A. No.**
 2 Q. Do you know what route you took to get to the
 3 Dominick's store that day?
 4 **A. I don't.**
 5 Q. Do you remember -- Strike that.
 6 How much did you weigh back then?
 7 **A. I don't remember.**
 8 Q. And how tall were you back in December of
 9 2008?
 10 **A. Don't remember.**
 11 Q. Are you about the same height today?
 12 **A. Maybe. I don't know if I grew or not. I**
 13 **don't know.**
 14 Q. Around 5'7?
 15 **A. I'm 5'7 now.**
 16 Q. Okay. And how did you have your hair back
 17 then in December 2008?
 18 **A. Probably a low haircut.**
 19 Q. Sorry, low haircut?
 20 **A. Low haircut, yes.**
 21 Q. Did you wear a watch back then?
 22 **A. A watch? No, I never wore jewelry. I didn't**
 23 **wear nothing like that.**
 24 Q. Do you know how your mom got to work that day?

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1 **A. I dropped her off.**
 2 Q. You dropped her off?
 3 **A. Yes.**
 4 Q. Okay. So I asked if you did anything that day
 5 and now you're saying you dropped her off?
 6 **A. Yeah, I dropped her off, yeah.**
 7 Q. Okay. What time did you drop her off to work?
 8 **A. That's how I got her car, so I had to drop her**
 9 **off at Dominick's.**
 10 Q. Okay. Do you actually remember dropping her
 11 off?
 12 **A. Yeah, I -- I dropped her off.**
 13 Q. Okay. What time was it when you dropped her
 14 off?
 15 **A. I don't know.**
 16 Q. When you dropped her off, where were you
 17 coming from when you dropped her off?
 18 **A. You say where I was coming from when I dropped**
 19 **her off?**
 20 Q. Yes.
 21 **A. Obviously I had to drop -- we had to be at the**
 22 **house. At our house.**
 23 Q. Okay. So you left together from your -- from
 24 1656 to go drop her off at the Dominick's at Madison and

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1 Halstead?
 2 **A. Yeah.**
 3 Q. Was it at nighttime when you went to drop her
 4 off?
 5 **A. It had to be daytime.**
 6 Q. Daytime. Okay.
 7 So when you dropped her off, did you park your
 8 car?
 9 **A. You said when I dropped her off?**
 10 Q. Yeah.
 11 **A. Did I park?**
 12 MR. RAUSCHER: Object to form.
 13 Sorry, did you say did you park?
 14 MS. ITCHHAPORIA: The car.
 15 MR. RAUSCHER: The car.
 16 BY THE WITNESS:
 17 **A. Did I park the car?**
 18 Q. Yeah.
 19 **A. I was riding around in it.**
 20 Q. Okay. But when you dropped her off, did you
 21 go inside the Dominick's?
 22 **A. No.**
 23 Q. Okay. You just dropped off --
 24 **A. Dropped her off and pulled off.**

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1 Q. Okay. And where did you go after that?

2 **A. I don't know. Probably just riding around**
 3 **honestly. I don't know exactly. I ain't have no**
 4 **destination for real.**

5 Q. Okay. Were you riding around from when you
 6 dropped her off until when you went to pick her up?

7 **A. Most likely.**

8 Q. You were riding around the entire time?

9 **A. Most likely.**

10 Q. Okay. Is it accurate to say that you can't
 11 tell me who you saw or where you went during that time
 12 frame from when you dropped her off to when you went to
 13 pick her up?

14 **A. (Shaking head.)**

15 Q. Is that accurate?

16 **A. That's accurate.**

17 Q. Okay. And then did she call you to tell you
 18 to come pick her up or did you know what time she needed
 19 to be picked up?

20 **A. I knew what time she get off -- knew what time**
 21 **she got off.**

22 Q. Okay. Was that her regular shift?

23 **A. Was it -- I'm assuming because I pretty much**
 24 **picked her up all the time. It was nighttime when I did**

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1 **pick her up, and so it probably was late night.**

2 Q. Okay. And you mentioned that your mom was at
 3 the service desk?

4 **A. I said she probably -- I say I seen -- she**
 5 **probably -- Because I had called before. She worked at**
 6 **the service desk when I called at the job and she'll**
 7 **answer the phone, so most likely she was at the service**
 8 **desk. I seen her at the cash register before, so**
 9 **service desk/cash register.**

10 Q. Okay. On December 3rd, 2008, do you know if
 11 she was working as a cashier or at the service desk?

12 **A. I don't know because I -- when I came in, I**
 13 **normally grab me -- that's what I always grab, a Snicker**
 14 **and a Pepsi. And when I came in, I was just letting her**
 15 **know that I was outside. I don't know what she --**
 16 **exactly what she -- if she was still at the register or**
 17 **not.**

18 **I just, like, remember when I came in, she**
 19 **was, like, kind of, like, not standing by nowhere, I**
 20 **think, like, just out. And I was like, I'm here. And I**
 21 **went to go get me a Snicker, and she like, Wait, wait,**
 22 **let me show you my friend. And then that was -- that**
 23 **was pretty much it. And I got my -- I got my -- the**
 24 **Snicker and the pop and then went back outside the car**

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1 **and wait.**

2 Q. Okay. So when you went to pick her up, you
 3 said it was nighttime.

4 You were in her car. Right?

5 **A. Uh-huh.**

6 Q. Is that a yes?

7 **A. Yes.**

8 Q. Okay. Where did you -- Did you have to park
 9 the car because you had to go inside the store?

10 **A. No, you -- At her job, just pull right up.**
 11 **It's like a little -- You really aren't supposed to**
 12 **park right there, but I'm thinking it's gonna be quick**
 13 **because I was just letting her know, like, I'm outside.**
 14 **Then so she know I'm outside. Went inside, left the car**
 15 **right there. Literally parked right there, went in, let**
 16 **her know that I was out. I went to go get me a -- and**
 17 **then she like hold on, let me let you meet my friend.**
 18 **And that's how.**

19 Q. So you just parked the car right outside the
 20 store?

21 **A. Right outside the store.**

22 Q. That's not really a designated parking spot,
 23 though?

24 **A. No, it's not.**

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1 Q. Okay. You just thought you were going to run
 2 in quickly and tell her --

3 **A. I was going to be in -- yup.**

4 Q. Why couldn't you just call her and tell her
 5 that you were there?

6 **A. Because I wanted to go --**

7 MR. RAUSCHER: Object to form.

8 BY MS. ITCHHAPORIA:

9 Q. Sorry?

10 **A. Because I wanted to go in and get me a Snicker**
 11 **and a pop.**

12 Q. Okay.

13 **A. And let her know that I was outside, too.**

14 Q. Now, when you walked into the store, did you
 15 see your mom?

16 **A. I ain't see her immediately because when you**
 17 **walk in, you got to walk past -- like, it was, like,**
 18 **something else right there, like, a -- like, I don't**
 19 **know. It was like a -- some type of -- it was something**
 20 **else that was a part of the -- the Dominick's store. So**
 21 **I walked past.**

22 **I went in a little bit for -- to look. Then I**
 23 **seen her, like, in the aisle. I was like, I'm here.**
 24 **And then she told me something like as in, like, hold**

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1 on, I got to stay for a little bit longer, something in
 2 that nature. I grabbed me a Snicker and a pop and then
 3 she told me she wanted to introduce me to her friend.
 4 Q. Okay. You said you saw her in the aisle?
 5 A. Not in the aisle, like, but it's not -- it
 6 was, like, you step -- it's, like, a little opening,
 7 like -- like, if the customers coming out, you know,
 8 walking through the aisles. I walked over there and I
 9 seen her, I'm like, I'm here.
 10 Q. Was she working, like, a particular cashier's
 11 line or was she working at the service desk that day?
 12 A. I don't really know.
 13 Q. You don't know?
 14 A. No.
 15 Q. Okay. So she was just in some sort of,
 16 like -- right by the aisleway?
 17 A. In the opening is where I could see her.
 18 Q. Okay. What was she wearing that day?
 19 A. Her work uniform.
 20 Q. And what was her work uniform?
 21 A. I don't know. I don't remember. I think it
 22 was a Dominick's shirt or something. That's all I
 23 probably remember. A Dominick's shirt. That's what I
 24 remember her always wearing, so it had to be a work

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1 uniform.
 2 Q. It was a Dominick's shirt.
 3 And what color is the shirt?
 4 A. I don't remember.
 5 Q. Did they wear, like, an apron?
 6 Did she wear an apron?
 7 A. I don't remember.
 8 Q. So when you -- when you saw her, you went up
 9 to her and you told her that you were there and she told
 10 you that she had to stay longer?
 11 A. Uh-huh.
 12 Q. Is that a yes?
 13 A. Yes.
 14 Q. Did she say to you why she had to stay longer?
 15 A. No, she didn't.
 16 Q. Did she tell you how long she had to stay for?
 17 A. I think she said, like, a few more minutes,
 18 just wait outside after she introduced me to her friend.
 19 So I just went outside.
 20 Q. Okay.
 21 A. I went back outside and waited on her.
 22 Q. And did she introduce you to her friend?
 23 A. Yeah.
 24 Q. Who was her friend?

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1 A. Now -- Ethel.
 2 Q. Had you met Ethel before?
 3 A. Nope.
 4 Q. Was Ethel someone that worked with your mom?
 5 A. Yeah.
 6 Q. Do you know how long Ethel and your mom worked
 7 together?
 8 A. No.
 9 Q. What did you say to Ethel?
 10 A. My mother just introduced -- Hey, Ethel.
 11 Just -- That's how my mother is. Whenever she and her
 12 friends, she always be so excited just to introduce me
 13 to them. So it was just, hey, how you doing, and that
 14 was really it.
 15 Q. Did you -- So did you say anything to her
 16 other than, hey, how you doing?
 17 A. No, just -- No, that was it.
 18 Q. Did she say anything to you?
 19 A. She just spoke back, hey.
 20 Q. Where was Ethel when this conversation
 21 occurred?
 22 A. Ethel was there -- right there.
 23 Q. Like, was she -- she was working that day.
 24 Right?

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1 A. Yeah.
 2 Q. So was she at the cashier? Where was she?
 3 A. When she came out when I was right there by my
 4 mother, talking to my mother, she walked. She was like,
 5 Ethel, here go my son, let me -- I don't remember
 6 exactly where she came from, but, here go my son. I
 7 spoke to her and that was mainly it.
 8 Q. So this is not -- this conversation is not
 9 occurring at the cashier lane?
 10 A. No. It ain't in no -- It's not in no -- in a
 11 cashier lane that I know of. It was, like, outside --
 12 like, outside the lane.
 13 Q. Okay. Do you know what Ethel was -- like, do
 14 you know what Ethel was doing at the store, like, what
 15 her job was?
 16 A. No, I do not.
 17 Q. Was that the first time you met her?
 18 A. Yes.
 19 Q. How long do you think you were in the
 20 Dominick's store that day?
 21 A. Wasn't probably longer than no five minutes.
 22 About five minutes. Then went back outside and sat in
 23 the car.
 24 Q. Did you buy a Snickers bar and a Pepsi?

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1 **A. Yes.**
 2 Q. And how did you pay for that?
 3 **A. Cash.**
 4 Q. Did you do self-checkout? Was there -- Strike
 5 that.
 6 Was there a self-checkout lane?
 7 **A. No.**
 8 Q. No?
 9 **A. No.**
 10 Q. So you had to go to a cashier?
 11 **A. Uh-huh.**
 12 Q. Is that a yes?
 13 **A. Yes.**
 14 Q. Who checked you out?
 15 **A. I don't know.**
 16 Q. Was it your mom?
 17 **A. No.**
 18 Q. Was it Ethel?
 19 **A. No.**
 20 Q. What did you buy?
 21 **A. Snicker --**
 22 MR. RAUSCHER: Object to the form.
 23 BY MS. ITCHHAPORIA:
 24 Q. Sorry?

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1 **A. Snicker and a Pepsi.**
 2 Q. Okay. Did you meet any of your mom's other
 3 coworkers throughout the years?
 4 **A. I think I did, yeah.**
 5 Q. Do you know the names of any of those -- of
 6 her other coworkers?
 7 **A. Yeah, I do. It was a girl named Dominique. I**
 8 **end up started talking to her later on down the line.**
 9 Q. Dominique?
 10 **A. Yeah.**
 11 Q. And you were, like -- you were dating her?
 12 **A. Yeah.**
 13 Q. Did Dominique work with your mom at
 14 Dominick's?
 15 **A. Uh-huh.**
 16 Q. Is that a yes?
 17 **A. Yes.**
 18 Q. Did you meet any of your mom's other
 19 coworkers?
 20 **A. No.**
 21 Q. Did your mom have a supervisor?
 22 **A. Yeah, I guess. I'm assuming she did.**
 23 Q. Okay. Back in 2008, do you know who your
 24 mom's supervisor was?

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1 **A. No.**
 2 Q. What did Ethel look like?
 3 **A. She was short. Kind of like older a little**
 4 **bit. Older lady. Dark-skinned.**
 5 Q. I'm sorry?
 6 **A. A dark, older-looking lady. I only seen her**
 7 **one time. I really don't remember too much about her.**
 8 Q. Was she African American?
 9 **A. Yeah, she was black, yes.**
 10 Q. Was she -- When you're saying older lady, was
 11 she older than your mom?
 12 **A. Maybe.**
 13 Q. Do you remember anything else about Ethel?
 14 **A. That's it.**
 15 Q. And then you went back in the car?
 16 **A. Yeah.**
 17 Q. And did you eat your Snickers bar and drink
 18 your Pepsi?
 19 **A. I don't remember if I ate it right then and**
 20 **there.**
 21 Q. Sorry?
 22 **A. I don't remember if I ate it right then and**
 23 **there.**
 24 Q. Okay. And how long did you have to wait until

Page 193

1 your mom came out?
 2 **A. She probably came out probably like ten**
 3 **minutes later. 10, 15 minutes later.**
 4 Q. Okay. So during that 10 to 15 minutes, did
 5 you move the car anywhere?
 6 **A. I stayed right there.**
 7 Q. Was the car on?
 8 **A. It probably was because it was cold.**
 9 Q. You're saying probably.
 10 You don't know for sure?
 11 **A. I don't remember, but most likely it probably**
 12 **was on because of -- it was cold outside and I had the**
 13 **heat running.**
 14 Q. And what'd you do for those 10 to 15 minutes?
 15 **A. I sat there.**
 16 Q. And was it during those 10 to 15 minutes when
 17 Lamarius called you?
 18 **A. Yeah.**
 19 Q. So Lamarius called you before your mom came
 20 into the car?
 21 **A. Yeah.**
 22 Q. How do you know it was 10 to 15 minutes you
 23 had to wait for your mom?
 24 **A. It wasn't that long.**

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1 Q. And you had the phone, so you could see the
2 time on your phone?

3 **A. Yeah, I probably wasn't paying that no**
4 **attention, though.**

5 Q. Other than talking to Lamarius on the phone
6 for that brief conversation, did you speak to anybody
7 else while you were waiting for your mom to come
8 outside?

9 **A. Did I speak to anybody else? No, that was the**
10 **only one.**

11 Q. Did you listen to music?

12 **A. I don't remember.**

13 Q. When you were sitting in your car waiting for
14 your mom, could you see in -- into the Dominick's store?

15 **A. Yeah, where I was parked I could see inside.**

16 Q. Could you see your mom?

17 **A. I wasn't probably looking.**

18 Q. Do you remember seeing your mom?

19 **A. No, I wasn't -- I don't remember.**

20 Q. Okay. Do you remember waving at her or her
21 waving at you while you were in the car?

22 **A. I don't remember.**

23 Q. Okay. Do you know what time it was when your
24 mom came out to you?

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1 **A. I don't remember exactly what time, no.**

2 Q. Okay. Did you stay in the car for the entire
3 10 to 15 minutes when you were waiting for her?

4 **A. When I left out the store, I stayed in the car**
5 **the whole time. I couldn't go nowhere. There wasn't**
6 **nowhere else to go.**

7 Q. Okay. So you didn't go back inside the --

8 **A. No, I didn't go back.**

9 Q. Okay. And, I'm sorry, did you say -- what was
10 the time when your mom came outside?

11 **A. I don't know exactly the time she came out.**

12 Q. Okay. Did you tell your mom that Lamarius had
13 called you?

14 **A. I didn't.**

15 Q. Okay. And then did you go from Dominick's
16 to -- back to 1656 Central Park?

17 **A. Yeah.**

18 Q. Did you make any stops along the way?

19 **A. No.**

20 Q. How long did it take you to get from
21 Dominick's back to your home at 1656 North Central Park?

22 **A. I wouldn't know.**

23 Q. Sorry?

24 **A. I have no idea.**

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1 Q. Okay. Was there any traffic?

2 **A. Probably -- Probably regular traffic I guess.**

3 **I don't know.**

4 Q. Okay. What'd you and your mom talk about on
5 the ride back to your house?

6 **A. I don't remember.**

7 Q. Do you know why your mom had to stay the extra
8 10 to 15 minutes?

9 **A. No.**

10 Q. Were you annoyed that you had to wait for her
11 for about 10 to 15 minutes?

12 **A. No.**

13 Q. Did she usually take a little bit of time
14 after her shift to kind of wrap up and come outside?

15 **A. Sometimes she did.**

16 Q. Okay. And then I think earlier you testified
17 when you got home it was around 10:00 p.m.?

18 **A. When I -- Was it 10:00 p.m.? I don't know**
19 **what time it was. Maybe.**

20 Q. Well, does 10:00 p.m. sound about right?

21 **A. It could be.**

22 Q. Did you go inside?

23 **A. No.**

24 Q. And on the way driving, you got two more --

Page 197

1 you made another phone call to Lamarius and Quinton
2 Davis called you. Right?

3 **A. Uh-huh.**

4 Q. Is that correct?

5 **A. Yeah.**

6 Q. Did anybody -- Did you speak to anybody else
7 on the phone while you were driving your mom from
8 Dominick's to your house on Central Park?

9 **A. I don't think so.**

10 Q. When you dropped -- You dropped her off.
11 Right? You didn't go inside?

12 **A. I didn't go inside.**

13 Q. Okay. Did you tell her where you were going?

14 **A. No.**

15 Q. And that's when you went to 15th and Central
16 Park?

17 **A. Yes.**

18 Q. Is there anything else that you remember
19 about going to Dominick's to pick up your mom that
20 evening that we haven't talked about?

21 **A. No.**

22 Q. Did your mom ever socialize with Ethel outside
23 of work?

24 **A. Not that I know of.**

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1 Q. Did your mom ever socialize with people that
 2 she worked with at Dominick's outside of work?
 3 **A. I probably know of, like, one person.**
 4 Q. That's the Dominique?
 5 **A. No, no. That's not Dom -- Her name --**
 6 Q. Who is the other person?
 7 **A. Her name -- Her name LaTanya Hicks. That's**
 8 **the only person I knew from her job that she really hung**
 9 **out with.**
 10 Q. And Ethel Lewis provided an affidavit that
 11 was attached to your post-conviction petition. Correct?
 12 **A. Yes.**
 13 Q. Did you ask Ethel Lewis to provide that?
 14 **A. No.**
 15 Q. Did your mom?
 16 **A. I guess -- I guess they had a conversation.**
 17 Q. Is it your understanding that Ethel Lewis is
 18 deceased?
 19 **A. I don't know.**
 20 Q. Okay. Have you ever spoken to Ethel again
 21 other than that night?
 22 **A. That's the first time and my last time seeing**
 23 **her.**
 24 Q. You said your mom probably asked her about an

Page 199

1 affidavit?
 2 **A. She probably, like, don't you remember this**
 3 **day? Probably -- I don't know. They probably had a**
 4 **conversation maybe. I don't know, like, to details. I**
 5 **can't tell. I don't know.**
 6 Q. Okay. Well, do you know if your mom was the
 7 one that asked Ethel to provide an affidavit?
 8 **A. She probably asked her, was she -- yeah, maybe**
 9 **so. Yeah. Yes.**
 10 Q. Then you said after you left Quinton Davis's
 11 grandmother's home you went to pick up your girlfriend
 12 Melissa?
 13 **A. Probably later on that day because she was**
 14 **with me, yeah.**
 15 Q. And then you and Melissa went back to your
 16 house?
 17 **A. Yeah.**
 18 Q. Did you go straight from Quinton Davis's house
 19 to pick up Melissa?
 20 **A. I don't remember.**
 21 Q. Okay. Do you remember what time it was when
 22 you got home?
 23 **A. I don't.**
 24 Q. What did you do -- What did you and Melissa do

Page 200

1 when you got home?
 2 **A. I don't know. Probably chilled, laid down. I**
 3 **don't know.**
 4 Q. Do you remember what time you went to sleep?
 5 **A. I don't.**
 6 Q. Do you remember what time it was when you woke
 7 up the next day?
 8 **A. I don't.**
 9 Q. When you -- When Lamarius said that on that
 10 evening that he shot 13, did you know if -- did you know
 11 if 13 was alive or dead?
 12 **A. I didn't know if he was alive or dead.**
 13 Q. Okay. Lamarius didn't tell you either way?
 14 **A. No.**
 15 Q. Okay. Did there come to be a point in time
 16 when you learned that 13 was dead?
 17 **A. Uh-huh.**
 18 Q. Is that a yes?
 19 **A. Yes.**
 20 Q. When did you learn that?
 21 **A. Maybe the next day. Maybe.**
 22 Q. How did you learn that?
 23 **A. It was a call -- Everybody was calling. There**
 24 **was a lot of people that was calling about that, like,**

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1 **calling, talking about it. It was everywhere I guess.**
 2 **Pretty much outside you -- you went outside, people was**
 3 **talking about it. Stuff like that.**
 4 Q. You said every -- Like, everyone was calling
 5 you about it?
 6 **A. Everybody was just calling about it. Like, it**
 7 **was -- other people that I was around, people was**
 8 **getting calls hearing about it. It was just everywhere.**
 9 **That's what happens when stuff like that happen. It be**
 10 **around. You pull up on somebody and they gonna tell**
 11 **you, oh, this person got killed last night, this**
 12 **person -- that's how -- that's just how it be. So**
 13 **it's -- it's going to be out.**
 14 Q. Did you get a specific phone call from anyone
 15 telling you that he had died?
 16 MR. RAUSCHER: Object to form.
 17 BY THE WITNESS:
 18 **A. Probably -- I probably did. Probably did.**
 19 Q. You don't remember?
 20 **A. I -- Got so -- There was so much going on, so**
 21 **I probably did get a call. Somebody probably did say he**
 22 **died. Somebody probably called, told Shanice, so she**
 23 **lived on that block, so she probably was the one**
 24 **calling. There was so many calls, so I don't -- there**

Page 202

1 was a lot of stuff going on, so ...

2 Q. And Shanice is Mama J?

3 A. Yes.

4 Q. Okay. Did Mama J call you and tell you that
5 he was dead?

6 A. She probably did. Maybe, maybe not. I don't
7 remember, but I -- that's why I say people was calling
8 about it. So it wasn't just, like, it was just like
9 they just -- she called me and just say -- I don't
10 remember if she called me and said, yeah, he dead -- he
11 dead or this person called me and said he dead. Like I
12 said, I got a lot of calls about the -- the whole
13 situation. When the shooting happened, I got calls
14 about it.

15 Q. Do you remember -- I know you're saying a lot
16 of people called you, but do you remember anybody by
17 name that called you?

18 A. I don't remember.

19 Q. Okay. Other than finding out the next day
20 that he was dead, did you learn any other information
21 about the shooting?

22 A. Any other information?

23 Q. Yeah.

24 A. Just the information I already had got.

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1 Q. Okay. Was any -- When you were learning about
2 the shooting and -- and 13 being dead from other people,
3 were you hearing anything about who was involved in the
4 shooting?

5 A. You said who was involved from -- I don't
6 think I was -- I already knew who was involved. I
7 already -- I knew that already, so who I'm supposed to
8 hear that from?

9 Q. But did you hear any rumors about who was
10 involved in the shooting?

11 MR. RAUSCHER: Object to form.

12 BY THE WITNESS:

13 A. I don't know. I don't -- I don't -- I don't
14 remember, like, who was involved. I don't remember
15 getting no call about that.

16 Q. Did Mama J tell you that someone by the name
17 of Sane or Saint was the person that killed 13?

18 A. Sane or Saint?

19 Q. Yeah.

20 A. I don't even know who that is. I don't
21 remember that.

22 Q. Okay. Were you hearing any rumors from other
23 people that Lamarius was involved?

24 A. From other people? No. I wasn't hearing from

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1 nobody else because nobody else really probably would
2 have knew.

3 Q. Were you hearing rumors in the days after
4 the murder that people were saying that you were
5 involved?

6 A. I did hear that.

7 Q. Who did you hear that from?

8 A. I don't know. I don't remember.

9 Q. Okay. Did you hear anything in the days after
10 the murder that Lamarius was involved?

11 A. I did.

12 Q. You did.

13 Do you remember who you heard that from?

14 A. I don't.

15 Q. When you were -- In the days after the murder
16 and you're hearing rumors that you were involved, what
17 was your response or reaction, if any?

18 A. I -- Me, personally, I was like, oh, that what
19 they saying? That was it.

20 Q. Were you angry at Lamarius?

21 A. Wouldn't say I was angry, but that's just
22 how -- that's -- that's how stuff happen like that.

23 Stuff happen like that when people will say this person.

24 They don't be knowing. They just be wanting to put

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1 whoever they think that they feel has something to do
2 with it. So I wasn't really, like, necessarily -- I
3 was kind of mad, but it was, like, oh -- oh, well.
4 That what they think, let them think what they want to
5 think.

6 Q. Did you tell Lamarius, like, hey, do you know
7 people are saying that I -- I did the shooting and I'm
8 involved?

9 A. Yeah, he knew that. Yeah, he heard it, too.

10 Q. He heard it, too?

11 A. Yeah.

12 Q. How do you know he heard it?

13 A. Because he said that he heard it. He said
14 someone -- a female called him and told him that -- that
15 they saying it was me, but he end up -- we was somewhere
16 and he -- I don't know, he -- he was going through a lot
17 I guess, and he was saying, like, everybody think he --
18 that BA did it, he not the one that did it, I the one
19 that did it.

20 So it was a lot of -- it was a lot of -- it
21 was a whole bunch of stuff that was going on in the
22 midst of that that I ain't gonna remember exactly who
23 said what and who called and said this. When you get a
24 call, you get a call people saying this. I ain't gonna

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1 remember.

2 Q. What was going on with Lamarius?

3 A. He just -- He was just boiled up. He was just
4 in a different headspace I guess.

5 Q. When -- When you heard people were saying that
6 you were involved, did you tell Lamarius, hey, we got to
7 go out and clear my name, let's go to the police?

8 A. No, I ain't say that.

9 Q. Do you know why it was that people were saying
10 you were involved if Lamarius told you supposedly that
11 he was involved?

12 A. You say -- Say that again.

13 Q. Do you know why the word on the street was
14 that you were involved if Lamarius actually told you
15 that he was involved?

16 A. I don't know why -- I don't know. I honestly
17 don't.

18 Q. Do you and Lamarius look alike?

19 A. We family.

20 Q. What do you mean?

21 A. We family, like, there's a lot of people,
22 like, is that -- that's your brother, stuff like that,
23 we kind of family.

24 Q. Isn't he, like, a bigger guy than you?

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1 there.

2 Q. Sorry?

3 A. Just because people -- If they felt like they
4 didn't see me, that don't mean I wasn't around there.

5 Q. Okay. But did you just resume activities as
6 normal after the murder?

7 A. Yeah, I was outside.

8 Q. You weren't, like, staying low and trying to
9 avoid the police?

10 A. No.

11 Q. Did you -- Were you aware that the police were
12 investigating the murder?

13 A. I would assume, yeah, they was investigating
14 the murder because they just talked to all the people
15 that they talked to. So I'm assuming they was
16 investigating.

17 Q. Was there an incident either on the day of
18 the murder or maybe in the days leading up to the murder
19 that you had with Christopher Hanford also known as 13?

20 A. Yeah.

21 Q. What was the incident?

22 A. He was holding up traffic.

23 Q. Sorry?

24 A. He was holding up traffic.

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1 A. At that time he -- At this time we was
2 probably almost in the same probably body frame, like.

3 Q. Okay. But I would say you're a slender build.

4 Would you agree with that?

5 A. Yeah, I guess, yeah.

6 Q. Was he a slender build, too, back then?

7 A. He wasn't -- He wasn't -- Yeah, he wasn't no
8 big -- he wasn't big. He had a little -- He was slim,
9 too.

10 Q. Was -- Did he have -- How did he have his hair
11 back in the 2008 time frame?

12 A. I don't know. Probably low. Low.

13 Q. Low?

14 A. Low haircut.

15 Q. And are you both the same complexion?

16 A. Yes. Same complexion, almost the same height,
17 everything.

18 Q. After the murder of 13, did you stop going
19 around the area of, like, where you would typically sell
20 drugs or people would sell drugs for you?

21 A. I stop hanging around there?

22 Q. Yeah.

23 A. No, I still hang around there. Just because
24 they probably didn't see me doesn't mean I wasn't around

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1 Q. Yeah, tell me about that.

2 A. What I said, he was holding up traffic, and I
3 told him, move the traffic.

4 Q. Okay. So who was in the car?

5 A. In the car with me? Lamarius.

6 Q. So you and Lamarius are in a car and
7 Christopher Hanford is also in a car?

8 A. No, he's standing outside.

9 Q. He's standing outside. Okay.

10 Is anybody else with him?

11 A. Whoever he was -- In the car that was in
12 front, Christopher Hanford was talking to the car,
13 whoever the people that was in the car. I don't know
14 who was in the car.

15 Q. And you were behind that car?

16 A. I was behind the car.

17 Q. And where was this?

18 A. This was on Lawler and Iowa.

19 Q. Okay. And when did that occur?

20 A. What you mean when -- I don't know what day it
21 was.

22 Q. Was it, like, the same day as the murder or a
23 few days before that?

24 A. No, it probably had to be before the murder.

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1 Q. Are we talking, like, months before or days
2 before?

3 **A. Maybe days.**

4 Q. And was anybody with 13?

5 **A. I think Guyton.**

6 Q. So Guyton and Christopher Hanford are
7 standing talking to someone that's in a car at Lawler
8 and Iowa?

9 **A. Yes.**

10 Q. What was the car?

11 **A. I don't know.**

12 Q. Can you describe that car?

13 **A. I don't know what kind of car it was.**

14 Q. And what car were you in?

15 **A. I was in my mother car.**

16 Q. Now, were they actually holding up traffic on
17 Lawler or on Iowa?

18 What street were they on?

19 **A. Lawler.**

20 Q. Sorry?

21 **A. Lawler.**

22 Q. Lawler. Okay.

23 Were you -- Was it, like, at a stop sign?

24 **A. It was past the stop sign.**

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1 Q. Past the stop sign.
2 So just basically in the middle of the street?

3 **A. Yeah.**

4 Q. And you couldn't go around them?

5 **A. No.**

6 Q. Because there were cars blocking you or
7 something?

8 **A. Cars on both sides of the street and they got
9 to stay right here in the middle.**

10 Q. Okay.

11 **A. So you can't go around. That block is tight.
12 So you only could -- you can't move. There's another
13 car right there. You can't get past.**

14 Q. Do you know who Christopher Hanford and
15 Deandre Guyton, who they were talking to?

16 **A. No.**

17 Q. Do you know how many people were in the car?

18 **A. No.**

19 Q. How long did you wait behind them, behind the
20 car?

21 **A. I waited for a few minutes.**

22 Q. And then what did you do?

23 **A. Start blowing the horn.**

24 Q. How many times did you blow the horn?

Page 212

1 **A. I don't remember how many times I blew.**

2 Q. Sorry?

3 **A. I don't remember how many times I blew, but
4 I --**

5 Q. Numerous?

6 **A. I waited for -- I let them -- I waited for a
7 minute, then I hit -- started hitting the horn. I
8 probably hit it a couple times. Maybe two, three
9 times.**

10 Q. Were you telling Lamarius that you were kind
11 of getting annoyed that they were holding up traffic?

12 **A. I ain't tell them I was getting annoyed. I
13 just blew the horn.**

14 Q. You were driving your mother's car or was
15 Lamarius driving?

16 **A. I was driving.**

17 Q. You were driving. Okay.

18 Where were you and Lamarius coming from?

19 **A. I don't have no idea.**

20 Q. Where were you going?

21 **A. Really nowhere.**

22 Q. Sorry?

23 **A. Really nowhere.**

24 Q. Okay.

Page 213

1 **A. No destination.**

2 Q. And then when you blew your horn two or three
3 times, did Christopher or Deandre, did they react?

4 **A. They had stepped back and looked. And then
5 they let the car -- the car move. The car pulled off.**

6 Q. So the people that they were talking to in the
7 car, that car drove off?

8 **A. Yeah.**

9 Q. After you hit the horn two or three times?

10 **A. Yeah.**

11 Q. Did you have the window of your car open, any
12 windows?

13 **A. No, I had -- she had -- my mother had, like --
14 like, a light tint on her car.**

15 Q. So people from the outside can't look in?

16 **A. You can -- You could -- You could look, but
17 you can't really too much see, like.**

18 Q. Okay. Did you roll down any windows and say
19 anything?

20 **A. They was looking at -- They was looking at me
21 crazy, and I asked them, like, what's the problem, and
22 that was it.**

23 Q. Who was looking at you like crazy?

24 **A. Both of them, Deandre and Hanford.**

Page 214

1 Q. When you say they were looking at you crazy,
 2 what do you mean?
 3 **A. There's a stare. There's a certain type of**
 4 **stare.**
 5 Q. Like, staring you down?
 6 **A. Staring the car down.**
 7 Q. And then you said, what's the problem?
 8 **A. Yeah.**
 9 Q. Did you, like, roll down the window to say
 10 that?
 11 **A. I think I opened the door.**
 12 Q. Oh, you opened the door. Okay.
 13 The driver's door?
 14 **A. Yeah.**
 15 Q. Were they on the driver's side?
 16 **A. Yeah.**
 17 Q. So they were on the left side of the street?
 18 **A. Yeah.**
 19 Q. On Lawler.
 20 **A. Yeah.**
 21 Q. And when you said what's the -- when you
 22 opened the door to say what's the problem, did either of
 23 them respond?
 24 **A. I don't remember. I think they was just --**

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1 **they was just still looking, though. I don't know if**
 2 **they said nothing, but I think they was just looking**
 3 **still, how they was looking.**
 4 Q. And then what'd you do?
 5 **A. I pulled off.**
 6 Q. You -- Sorry?
 7 **A. Kept going, pulled off.**
 8 Q. You drove off?
 9 **A. Yeah.**
 10 Q. And where'd you go?
 11 **A. Just finished driving around.**
 12 Q. Were you angry?
 13 **A. I wasn't angry.**
 14 Q. Did you want to go get back at 13 and Guyton
 15 because they held you up in traffic?
 16 **A. No.**
 17 Q. Was this part of, like, the brewing problem
 18 that you had with Guyton?
 19 **A. There wasn't no brewing problem. It was just**
 20 **held up traffic and it was that. I ain't take it as**
 21 **nothing -- just traffic and they looking crazy. It**
 22 **wasn't -- It wasn't that serious.**
 23 Q. Did -- When -- When 13 and Dre were looking at
 24 you kind of crazy, did they start walking towards your

Page 216

1 car?
 2 **A. No. I pulled -- I was pulling -- I pulled**
 3 **off.**
 4 Q. Okay. Did you and Lamarius talk about it,
 5 what had just occurred as you're driving away?
 6 **A. No.**
 7 Q. Did you tell Lamarius to go get the toot?
 8 **A. The toot?**
 9 Q. Yeah.
 10 **A. No.**
 11 Q. Is "toot" another word for a gun or firearm?
 12 **A. I never heard that word "toot" before.**
 13 Q. What about "too"?
 14 **A. Never heard a gun called toot.**
 15 Q. Did Lamarius at your request go get a gun from
 16 an ally behind a trash can?
 17 **A. No.**
 18 Q. Did you tell Baby Al that you wanted to tweak
 19 with Dre and 13?
 20 **A. I'm Baby Al.**
 21 Q. Sorry.
 22 Did -- Did you tell Lamarius that you wanted
 23 to tweak with Dre and 13?
 24 **A. No.**

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1 Q. What does it mean to tweak?
 2 **A. Tweak what -- Tweak, like -- Tweak out on**
 3 **them? What that -- Yeah, I don't -- tweak out. That's**
 4 **the only thing I know is tweak out, like what --**
 5 Q. Okay. What does it mean to tweak out?
 6 **A. Act crazy I guess.**
 7 Q. Did you tell Lamarius that you wanted to tweak
 8 out at 13 and Dre?
 9 **A. No.**
 10 Q. Did you grab the gun from Lamarius and put it
 11 in your waistband?
 12 **A. No.**
 13 Q. Then did you and Lamarius walk down the street
 14 and approach Dre and 13 --
 15 **A. No.**
 16 Q. -- at -- at Iowa and Lawler?
 17 **A. No.**
 18 Q. Did you engage in a physical fight with 13?
 19 **A. Never.**
 20 Q. 13 was getting the better of you in the fight.
 21 Right?
 22 **A. Never had a fight with him.**
 23 Q. 13 punched you?
 24 **A. Never had a fight with him.**

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1 Q. You grabbed the gun from Lamarius?
 2 **A. Never grabbed a gun from him.**
 3 Q. Before you grabbed the gun from Lamarius, did
 4 Lamarius tell everyone to stay back and not get
 5 involved?
 6 **A. Never grabbed the gun from him.**
 7 Q. Was there a group that was forming around you
 8 and 13 as you were arguing?
 9 **A. Never had an argument with him in that form or**
 10 **a group or no fight or nothing.**
 11 Q. Did you grab the gun from Lamarius and then
 12 shoot it at 13?
 13 **A. Never shoot 13, never grabbed the gun from**
 14 **Lamarius, nothing -- nothing -- nothing in that form.**
 15 Q. Did you have a prior altercation with 13?
 16 **A. What's the altercation? The words that -- The**
 17 **words I said dealing with the problem, that was it?**
 18 Q. Other than that.
 19 Was there any other altercations that you had
 20 with 13?
 21 **A. Never.**
 22 Q. Wasn't there an incident where 13 called you a
 23 bitch?
 24 **A. Never.**

Page 219

1 Q. So a couple or three weeks before the murder,
 2 13 interfered in a fight that you were having and he
 3 called you a bitch?
 4 **A. Never had no fight.**
 5 Q. Do you know somebody by the name of 10-4?
 6 **A. Yes.**
 7 Q. Who is that?
 8 **A. He's from the area.**
 9 Q. From what area?
 10 **A. He -- He -- He kinda, like, from the Austin**
 11 **area, too, but he a little bit farther down, like,**
 12 **from -- from where I -- where I used to be hanging at.**
 13 Q. Do you know what 10-4's real name is?
 14 **A. Aaron Marshall.**
 15 Q. And you and Aaron Marshall were incarcerated
 16 together?
 17 **A. No.**
 18 Q. Never overlapped?
 19 **A. I probably -- He probably was in jail -- He**
 20 **probably was inside the jails, but we wasn't never,**
 21 **like, around. He probably was in jail when I was in**
 22 **jail, but not together.**
 23 Q. What about in any prison facility?
 24 Were you in the same prison facility as Aaron

Page 220

1 Marshall?
 2 **A. Huh-uh. No.**
 3 Q. So his name is Aaron Marshall, but you knew
 4 him as 10-4?
 5 **A. Yeah.**
 6 Q. Is his name actually Kevin Marsh.
 7 **A. The only name I know with him is Aaron**
 8 **Marshall.**
 9 Q. Okay. And was he a chief of a gang?
 10 **A. He ain't no chief.**
 11 Q. No chief. You're kind of scoffing at that.
 12 **A. He ain't no chief.**
 13 Q. Was he in a gang?
 14 **A. He was a Four Corner Hustler.**
 15 Q. Same gang as 13?
 16 **A. Yeah, they from two different blocks, though.**
 17 Q. Okay. What do you mean?
 18 **A. Two different blocks meaning there's Augusta**
 19 **and Lawler. That's the block of Four Corner Hustler.**
 20 **Where he from, that's a whole different block of Four**
 21 **Corner Hustler. That don't mean -- Like, they could be**
 22 **in the same gang, but that don't mean they -- like,**
 23 **they, like, together.**
 24 Q. So Augusta and Lawler, that's where Dre and 13

Page 221

1 were from?
 2 **A. Yes.**
 3 Q. And where was 10-4 from?
 4 **A. He more so, like, off, like, Lavergne and,**
 5 **like, Crystal, Lavergne and Potomac.**
 6 Q. Okay. Was there an incident with 10-4 where
 7 he wanted you to stop selling drugs on -- stop selling
 8 drugs on Lavergne and Augusta?
 9 **A. No.**
 10 Q. Did you sell drugs on Lavergne and Augusta?
 11 **A. Never.**
 12 Q. Was there ever any conflict with any other
 13 gangs about where to sell drugs when you were selling
 14 drugs or having people sell drugs for you?
 15 **A. No.**
 16 Q. When you would be out on the streets or riding
 17 around in the time frame when you were selling drugs,
 18 would you have a firearm on you?
 19 **A. No.**
 20 Q. Would you expect the people that were selling
 21 drugs for you to be armed?
 22 **A. No.**
 23 Q. Did you ever have an issue where another gang
 24 was trying to take over your turf?

Page 222

1 **A. No.**
 2 Q. That never occurred?
 3 **A. No.**
 4 Q. Nobody tried to encroach on the territory
 5 where you were trying to sell drugs?
 6 **A. No.**
 7 Q. If another gang tried to do that, what would
 8 you have done?
 9 MR. RAUSCHER: Object to form. Calls for
 10 speculation.
 11 BY THE WITNESS:
 12 **A. Yeah, I don't know. It ain't never happened,**
 13 **so I don't know.**
 14 Q. Do you -- Do you know if the people that were
 15 selling drugs for you, if they had guns?
 16 **A. No.**
 17 Q. So none of you had guns?
 18 **A. No.**
 19 Q. How would you protect yourself if someone
 20 tried to rob you when you were selling drugs?
 21 MR. RAUSCHER: Object to form and foundation.
 22 BY THE WITNESS:
 23 **A. People got robbed all the time and didn't**
 24 **nothing happened.**

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1 Q. Did you have -- When you were selling drugs,
 2 did you know of guns that were stashed nearby?
 3 **A. I did.**
 4 Q. So you knew that you could go access a gun
 5 somewhere?
 6 **A. If I had to, maybe. If I called for it,**
 7 **maybe.**
 8 Q. Did the CVLs have any stash spots where they
 9 would store guns --
 10 MR. RAUSCHER: Object to --
 11 BY MS. ITCHHAPORIA:
 12 Q. (Continuing.) -- back in the 2008, 2009 time
 13 frame?
 14 MR. RAUSCHER: Object to foundation.
 15 BY THE WITNESS:
 16 **A. No.**
 17 Q. Did you ever try to encroach on another gang's
 18 territory to take it over and sell drugs?
 19 **A. No.**
 20 Q. So everyone just kind of let you do your
 21 business?
 22 **A. Yeah.**
 23 Q. Do you know if Lamarius ever had an
 24 altercation with 13?

Page 224

1 **A. I doubt it.**
 2 Q. Why do you doubt it?
 3 **A. Really didn't know him.**
 4 Q. Okay. Oscar Russell, did you know him by any
 5 other nickname?
 6 **A. Old Soul.**
 7 Q. Old Soul?
 8 **A. Old Soul. Yeah.**
 9 Q. You were arrested for this case on March
 10 3rd, 2009. Correct?
 11 **A. Yeah.**
 12 Q. And between that time, you went back to
 13 selling drugs?
 14 **A. You say ...**
 15 Q. From the time of 13's murder until you were
 16 arrested in March 2009, did you continue to sell drugs?
 17 **A. Yeah.**
 18 Q. So you were out on the streets?
 19 **A. I was out.**
 20 Q. Before you were -- After 13's -- After 13 was
 21 shot at and before you were arrested, someone tried to
 22 shoot at you. Correct?
 23 **A. I got shot.**
 24 Q. You got shot?

Page 225

1 **A. Yeah.**
 2 Q. Okay. And where'd you get shot?
 3 **A. In my head.**
 4 Q. How many times were you shot at?
 5 **A. Shot at? I don't know how many times I got**
 6 **shot at, but I got shot one time.**
 7 Q. One time. Okay.
 8 And you were at 4945 Augusta or Augusta and
 9 Laverne when that happened?
 10 **A. Yeah, I was riding past.**
 11 Q. Sorry?
 12 **A. I was riding past.**
 13 Q. So you were in the car?
 14 **A. Yeah.**
 15 Q. You were in the car when you got shot at?
 16 **A. Yeah.**
 17 Q. Who were you in the car with?
 18 **A. I think Jarrell (phonetic) Miller and Troy**
 19 **Brown.**
 20 Q. Whose car were you in?
 21 **A. I was in my mother car.**
 22 Q. And were your windows open?
 23 **A. Windows down.**
 24 Q. Down.

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1 Do you know who shot at you?

2 **A. They said Darrick Stidwell.**

3 Q. Sorry?

4 **A. Darrick Stidwell. That's what the word was.**

5 Q. That's what the rumors were?

6 **A. Yeah.**

7 Q. Who's Darrick Stidwell?

8 **A. He one of -- He one of Hanford and Guyton's**
9 **friend.**

10 Q. So he's a Four Corner Hustler?

11 **A. Yeah.**

12 Q. Who told you Darrick Stidwell shot at you?

13 **A. That was just what everybody was saying, like,**
14 **it ain't no specific -- you know how people just be**
15 **going around, like, they saying that that's who --**
16 **that's who supposedly did it, like, that's how. So ...**

17 Q. Was it --

18 **A. Word -- Just word of mouth I guess, like, just**
19 **saying it.**

20 Q. Do you remember when that incident occurred
21 when you were shot at?

22 **A. In January I think or February. I don't**
23 **really remember the exact day.**

24 Q. But January or February 2009?

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1 **just know I heard gunshots and my eye, it went blurry a**
2 **little bit. I got a little bit unconscious. Got back**
3 **being able to see, pulled over. And that's when my**
4 **homey, he started driving -- Jarrell, he started**
5 **driving, he pulled up, dropped me off to the police**
6 **station -- I mean, to the fire station.**

7 Q. Did you see the people who shot at you or the
8 person?

9 **A. I didn't.**

10 Q. Sorry?

11 **A. I didn't.**

12 Q. Wasn't -- Wasn't the people that -- the
13 people that shot at you, wasn't one of them wearing a
14 hoodie?

15 **A. I don't remember.**

16 Q. Sorry?

17 **A. I don't -- I don't remember.**

18 Q. Do you know who it was that shot you and you
19 just don't want to say?

20 **A. I don't.**

21 Q. You don't know who shot you?

22 **A. No.**

23 Q. So your friend Derrick Miller, he dropped you
24 off --

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1 **A. Yeah.**

2 Q. So tell me what you were doing on Augusta and
3 Lavergne.

4 **A. Riding past. Had the window down. Started**
5 **shooting.**

6 Q. How many shots were fired?

7 **A. I don't know. I just heard some -- I heard a**
8 **few shots. I don't -- I can't necessarily tell you**
9 **because I kind of, like, went kind of blurry -- my eyes**
10 **went a little blurry or whatever, so ...**

11 Q. Do you know if you're -- You're in the
12 driver's seat because you said --

13 **A. Yeah.**

14 Q. -- you were driving. Right?

15 Where were the shots coming from -- from the
16 left of you, to the right of you, in front of you,
17 behind you?

18 **A. They came from the left. I was riding up**
19 **Augusta going towards Lavergne, so came from this side.**

20 Q. Okay. Came from the left side?

21 **A. Yeah.**

22 Q. And it was two male blacks that were shooting
23 at you?

24 **A. I don't remember how many people it was. I**

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1 **A. Jarrell Miller.**

2 Q. Darrell?

3 **A. Jarrell.**

4 Q. Jarrell. Jarrell. Okay.

5 Your friend Jarrell -- Jarrell Miller, he
6 dropped you off at a firehouse?

7 **A. Yeah.**

8 Q. Where was the firehouse?

9 **A. I think, like, on Pulaski somewhere. Like,**
10 **Pulaski and Washington, somewhere over there.**

11 Q. Sorry?

12 **A. Like, Pulaski and Washington, in that area.**

13 Q. All right. So did you continue to drive from
14 Augusta and Lavergne to Pulaski and Washington?

15 **A. No, I pulled over.**

16 Q. You pulled over?

17 **A. Yes. I couldn't -- I couldn't even talk. I**
18 **had to tell -- I had to make, like, the -- like, a**
19 **police noise for him to know what I telling to him to**
20 **go.**

21 Q. You had to -- I'm sorry, you had to make a
22 what noise?

23 **A. Like the police -- Like, I had to, like, make**
24 **the noise because I couldn't talk, words couldn't come**

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1 out, so it was, like -- I was, like (demonstrating) so
 2 he understood what I was saying then.
 3 Q. That's how he knew to take you there?
 4 A. Yeah.
 5 Q. Okay. And where did the shot -- where did the
 6 bullet enter?
 7 A. It entered right here from the left side
 8 (indicating.)
 9 Q. On your left side. Okay.
 10 Is it still in your head?
 11 A. The fragment is, yeah.
 12 Q. The fragment is.
 13 Has that caused you any, like, health issues?
 14 A. Probably messed up my eyesight a little bit.
 15 Q. Has a doctor told you that it messed up your
 16 eyesight?
 17 A. I think I could tell, like, afterwards that --
 18 my eyesight used to be real good. And after, now I got
 19 to do a little more squinting where I could see.
 20 Q. Did you have to start wearing glasses?
 21 A. I wear glasses.
 22 Q. You wear glasses?
 23 A. Yeah.
 24 Q. Were you wearing glasses before you were shot

Page 231

1 at?
 2 A. No.
 3 Q. When did you start wearing glasses?
 4 A. I got -- I got the glasses when I got out.
 5 Q. Okay. When you got released --
 6 A. Yeah.
 7 Q. -- in 2022?
 8 A. Yeah.
 9 Q. Okay.
 10 A. But they was always there when I was in -- I
 11 just never got -- because the glasses that they used to
 12 give us was -- was real bad -- bogus --
 13 THE COURT REPORTER: I'm sorry, could you say that
 14 last part?
 15 BY THE WITNESS:
 16 A. I said the glasses that they used to
 17 prescribe to us in jail, they was, like, real, like,
 18 rubbery, like, you couldn't even, like, really, like,
 19 let them sit on your -- you know, it will be flabby,
 20 so ...
 21 Q. Are you wearing -- Are you wearing contacts
 22 now?
 23 A. No.
 24 Q. No.

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1 Do you only need the glasses for reading?
 2 A. No, I really need them, but I just don't -- I
 3 just ain't found me the best ones to fit me yet. I got
 4 some glasses, but they real big and I don't really like
 5 them.
 6 Q. When you got shot at that day in January,
 7 February 2009, were you -- Strike that.
 8 When you got shot at in January or
 9 February 2009, did you think it was a retaliation for
 10 shooting at 13?
 11 A. I really didn't know what it was for.
 12 Q. Did that thought ever cross your mind that it
 13 was in retaliation for shooting at 13?
 14 MR. RAUSCHER: Object to form.
 15 BY THE WITNESS:
 16 A. I really -- I really didn't.
 17 Q. Sorry?
 18 A. I really didn't know what they was shooting at
 19 me for.
 20 Q. Okay. The -- After you were taken to the
 21 firehouse, you were then transported to the hospital?
 22 A. Yes.
 23 Q. And how long were you at the hospital for?
 24 A. I don't remember. Maybe, like, a week or two

Page 233

1 maybe.
 2 Q. Okay. Did you have to go -- like, undergo
 3 surgery or anything?
 4 A. No.
 5 Q. No.
 6 Were you, like, in rehab or something in the
 7 hospital?
 8 A. Nope. No.
 9 Q. No.
 10 What kind of treatment were you getting?
 11 A. The regular pain meds, changing my gauze on my
 12 head. That was mainly it I think. I was supposed to be
 13 coming back to do some therapy for, like, speech and
 14 stuff. I had already started, like, gaining my speech
 15 back so -- because when I got shot, my tongue was, like,
 16 kind of, like, tilted this way, so I really couldn't,
 17 like, artic- -- like, say words, like, where you could
 18 really understand me, you couldn't really understand me,
 19 so as time went on when I was supposed to have been
 20 going back for therapy, I got better. So when I went
 21 back, the doctor was, like, you talking well, you're
 22 doing well, there's no need for the other therapy.
 23 Q. So did you undergo any therapy or no?
 24 A. I didn't.

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1 Q. You did not need it?

2 A. No.

3 Q. Okay. Did the shooting -- The fragment that's
4 still in your skull, did that impact you in any other
5 way other than --

6 A. I mean --

7 Q. -- your speech?

8 A. -- I started having a lot of headaches.

9 Q. Headaches.

10 And would you get treatment for the headaches
11 like medication?

12 A. Yeah, just Tylenol, ibuprofen, Tylenol --

13 Q. Okay.

14 A. -- 3s, things of that nature.

15 Q. So you -- you would treat the headaches with
16 Tylenol, over-the-counter medication?

17 A. Because I was still telling the doctor that I
18 was still having headaches, so they prescribe me, like,
19 Tylenol or ibuprofen and stuff like that.

20 Q. Okay. And would you take it?

21 A. Yeah, I'd take it.

22 Q. Do you still have headaches?

23 A. I do have headaches, but I don't know if it's
24 from that or just headaches.

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1 Q. Did you have to go back for, like -- like, a
2 regular CT scan to see where the fragment was?

3 A. Yeah, I did.

4 Q. And where --

5 A. It was still in the same -- Where it was --
6 Where it was at, it was still right there.

7 Q. Okay. So it was just lodged somewhere --

8 A. Yeah. In my skull.

9 Q. So you said it impacted your speech slightly.
10 Did it impact, like, any, like, of your motor
11 functions or anything like that?

12 A. No.

13 Q. No.

14 Did it impact, like, your sleep or anything?

15 A. Not really. Probably, like, if I was having
16 headaches or something of that nature, but other than
17 that, I was sleeping.

18 Q. Okay. So you -- after about one to two weeks
19 in the hospital, you went home?

20 A. Yeah.

21 Q. Okay. And you were interviewed about the
22 shooting by the police. Right?

23 A. Uh-huh.

24 Q. Is that a yes?

Page 236

1 A. Yes.

2 Q. And you told the police officer that
3 interviewed you that you didn't see the person that shot
4 you because the offender was wearing a hoodie?

5 A. I probably did.

6 Q. And you told the detective that interviewed
7 you about when you were shot that you thought the
8 shooting was related to a previous confrontation that
9 you didn't want to elaborate about?

10 A. I don't remember saying that.

11 Q. Okay. Was the previous confrontation
12 referring to the incident with 13 and the traffic issue?

13 A. I don't remember saying that.

14 Q. Okay. When you were interviewed by the police
15 as it relates to 13's shooting, you told the police that
16 you were shot at because of 13's murder. Right?

17 A. I don't remember.

18 Q. Okay. When the detective who was interviewing
19 you about when you were shot at when you were the victim
20 of a shooting, you told the police that you didn't want
21 to pursue -- you didn't want the police to further
22 pursue the investigation. Right?

23 A. Yeah, I probably did tell him that.

24 Q. Why did you say that?

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1 A. Because I wasn't going -- I don't know -- how
2 was I -- I couldn't point nobody out. Was I just going
3 to make somebody's name up?

4 Q. So you didn't want the police to do any
5 further investigation?

6 A. No.

7 Q. Why didn't you want the police to further
8 investigate it?

9 A. That's just -- That's just the way I was
10 brought up. You don't put the police in stuff like
11 that.

12 Q. You don't what? Sorry.

13 A. You don't put the police in stuff like that.
14 Just let it be.

15 Q. Why -- Why were you brought up not to bring
16 the police into stuff?

17 A. You got to ask my -- You got to ask my daddy
18 that or something. That's the way he taught me.

19 Q. Did you tell the police that you didn't want
20 them to pursue the investigation because you were on
21 that shit?

22 A. I would never tell no police nothing like
23 that.

24 Q. Did you tell the police that you didn't want

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1 them to investigate it because you were going to
 2 basically take things into your own hands?
 3 **A. Did I tell the police that?**
 4 Q. Yeah.
 5 **A. I would never tell no police nothing like**
 6 **that.**
 7 Q. Is that what you were planning on doing?
 8 **A. No.**
 9 Q. You didn't want the police to know that Four
 10 Corner Hustlers were shooting at you because you shot
 11 Hanford. Right?
 12 **A. I did never shoot Hanford.**
 13 Q. Did you tell the police that it was supposedly
 14 Darrick Stidwell that was involved?
 15 **A. I don't think I told them that.**
 16 Q. Did you ever confront Darrick Stidwell about
 17 whether or not he shot you?
 18 **A. How was I -- How was I going to be able to do**
 19 **that?**
 20 Q. Like, if you ever saw him.
 21 **A. No.**
 22 Q. Have you ever seen him?
 23 **A. No, I haven't seen him.**
 24 Q. Okay. So you've never confronted him to be,

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1 like, hey, I know you shot me or did you shoot me?
 2 **A. I never seen him.**
 3 Q. Okay. Did you and Darrick Stidwell have any
 4 issues prior to 13 being shot at and killed?
 5 **A. No.**
 6 Q. Before you were arrested in March 2009, did
 7 you think that you were being targeted by Hanford's gang
 8 member friends because of Hanford's shooting?
 9 **A. No.**
 10 Q. You didn't think you were being targeted?
 11 **A. (Shaking head.)**
 12 Q. No?
 13 **A. No.**
 14 Q. Okay. I'll show you what we'll mark as
 15 Exhibit 2 to your deposition.
 16 (Robinson Deposition Exhibit No. 2
 17 marked as requested.)
 18 BY MS. ITCHHAPORIA:
 19 Q. For the record, the court reporter has handed
 20 to you what we've marked as Exhibit 2 to your deposition
 21 which is Bates marked Robinson 002649 and this is an
 22 affidavit.
 23 And is that your signature that appears on
 24 this document?

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1 **A. Yeah.**
 2 Q. And it was signed by you on it looks like
 3 June 18th, 2014?
 4 **A. Yes.**
 5 Q. Okay. And this was an affidavit where you're
 6 saying that the facts and allegations in your
 7 post-conviction petition are true and accurate based
 8 on this -- based on your information and belief.
 9 Correct?
 10 **A. Yes.**
 11 Q. Did you have a chance to look at the and
 12 review the post-conviction petition that your attorney
 13 Jodi Garvey filed on your behalf?
 14 **A. Yes.**
 15 Q. She sent it to you?
 16 **A. Yeah.**
 17 Q. And did she send it to you with all the
 18 exhibits?
 19 **A. Yes.**
 20 Q. And she sent it to you while you were in
 21 prison?
 22 **A. Yes.**
 23 Q. Okay. And you had the opportunity to make any
 24 changes?

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1 **A. Yes.**
 2 Q. Did you make any changes?
 3 MR. RAUSCHER: I'm going to object. I think that
 4 would call for a work product.
 5 MS. ITCHHAPORIA: Are you instructing him not to
 6 answer?
 7 MR. RAUSCHER: Yes.
 8 BY MS. ITCHHAPORIA:
 9 Q. Are you going to take your attorney's advice
 10 and not answer that question?
 11 **A. Yes.**
 12 MR. RAUSCHER: And maybe attorney-client also.
 13 BY MS. ITCHHAPORIA:
 14 Q. Okay. So this was attached to your
 15 post-conviction petition that was dated July 24th --
 16 sorry, June 24th, 2014.
 17 Does that sound about right?
 18 **A. Yeah.**
 19 Q. Okay.
 20 **A. Yes.**
 21 Q. And then your attorney, Jodi Garvey, she also
 22 filed a supplement to the post-conviction.
 23 Do you recall that?
 24 **A. I don't even know, like, what supplement is.**

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1 **What is that, like?**

2 Q. Like, she was -- she -- it was a supplemental
3 petition supplementing the original petition.

4 **A. So she -- that mean, like, she added something**
5 **maybe?**

6 Q. Exactly.

7 **A. Oh, yeah. Yeah.**

8 Q. Do you remember reading the supplemental
9 petition for post-conviction relief?

10 **A. I honestly don't.**

11 Q. Okay. Mark this as 3, please.

12 (Robinson Deposition Exhibit No. 3
13 marked as requested.)

14 BY MS. ITCHHAPORIA:

15 Q. The court reporter has handed to you what
16 we've marked as Exhibit 3 to your deposition which is
17 Plaintiff's Reamended and Verified Responses to
18 Defendant Carl Brasic's Second Set of Interrogatories.

19 Do you see that title at the top of the page?

20 MR. RAUSCHER: Can I show him?

21 MS. ITCHHAPORIA: Yeah.

22 BY MS. ITCHHAPORIA:

23 Q. Okay. And if you look at the last page of the
24 document, there's a very tiny verification, but is that

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1 I'll have to print that at a break.

2 All right. You can put that one to the side.

3 **A. (Complying.)**

4 Q. We'll mark this as Exhibit 5 to your
5 deposition.

6 (Robinson Deposition Exhibit No. 5
7 marked as requested.)

8 BY MS. ITCHHAPORIA:

9 Q. The court reporter has handed to you what we
10 marked as Exhibit 5 to your deposition which is Bates
11 marked Robinson 001216 and this is the affidavit of
12 February Burrage.

13 Do you see that?

14 **A. Yes.**

15 Q. Have you seen this document before?

16 **A. Yes.**

17 Q. When did you see it?

18 **A. When the petition was sent to me.**

19 Q. When the petition was -- When the petition
20 was sent to you, this affidavit of February was
21 attached?

22 **A. Yes.**

23 Q. Okay. In paragraph 3 of this affidavit from
24 February Burrage, it says that he was interrogated by

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1 your signature on it?

2 **A. Yes.**

3 Q. And it's dated April 14th, 20- -- 2025?

4 **A. Yes.**

5 Q. Okay. And did you review the answers before
6 you verified and signed this document that we're looking
7 at?

8 **A. Yes.**

9 Q. Okay. You can put that to the side.

10 **A. (Complying.)**

11 (Robinson Deposition Exhibit No. 4
12 marked as requested.)

13 BY MS. ITCHHAPORIA:

14 Q. Okay. The court reporter has handed to you
15 what we'll mark as Exhibit 4 to your deposition which is
16 Plaintiff's First Supplemental Responses to Defendant
17 Vincent Celio's First Set of Interrogatories to
18 Plaintiff.

19 Do you see that title at the top?

20 **A. Yes.**

21 Q. Okay. And then did you -- did you review this
22 document?

23 **A. Yes, I did.**

24 Q. I think we have your signature page somewhere.

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1 the police at Grand and Central about having witnessed
2 the shooting of Hanford. Affiant informed the police
3 that he was not present at the time of the shooting and
4 could not, therefore, have seen who shot Hanford.

5 Do you see that?

6 **A. Yes.**

7 Q. That's inconsistent with what you told us
8 earlier that February Burrage was supposedly there when
9 13 was shot. Correct?

10 **A. Yeah.**

11 Q. Is that true?

12 **A. I did.**

13 Q. So when you saw this affidavit, did you make
14 any corrections to it or inform the Court that this was,
15 in fact, false?

16 **A. I didn't.**

17 Q. Okay. So when February Burrage said in his
18 affidavit that he was not present at the time of the
19 shooting, that's a false statement. Right?

20 MR. RAUSCHER: Object to form.

21 BY THE WITNESS:

22 **A. It was just -- It was just for him saying that**
23 **he didn't see me do it.**

24 Q. No, it doesn't say anything about that.

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1 In paragraph 3, the second sentence, it says,
2 Affiant informed the police that he was not present at
3 the time of the shooting and could not, therefore, have
4 seen who shot Hanford.

5 Do you see that?

6 **A. Yeah, I see that part.**

7 Q. And it's your belief, as you testified earlier
8 today, that February Burrage was there when Lamarius
9 supposedly shot 13?

10 **A. Yeah.**

11 Q. So did you make any efforts to correct this
12 affidavit before it was submitted to the Court?

13 **A. I didn't.**

14 Q. Okay. How about after it was submitted to the
15 Court?

16 **A. I didn't.**

17 Q. Okay. You can put that to the side.

18 Switch gears a little bit. I want to talk
19 about your arrest on March 3rd, 2009.

20 You were arrested at your house at 1656 South
21 Central Park. Right?

22 **A. Yes.**

23 Q. And right before you were arrested when you
24 saw the police, you fled from the back door of your

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1 Q. And you fled and then they had to -- an
2 officer had to run behind you and take you to the
3 ground?

4 **A. No. I -- Back -- I ran to the back, there
5 was an officer standing outside the gate, and then he
6 was like, get down, get down. And I guess he called the
7 ones that was in the house, and they came to the
8 backyard. And I was on the ground when they came to the
9 backyard.**

10 Q. And do you know the name of the officer that
11 was in -- in the backyard?

12 **A. I don't.**

13 Q. Okay. Do you know the name of any officers
14 that told you to get down?

15 **A. I don't.**

16 Q. Did you -- Strike that.

17 You fled from the police because you knew that
18 they were going to arrest you for the murder of
19 Christopher Hanford. Right?

20 **A. Did not run from them because of that.**

21 Q. Why'd you run from the police?

22 **A. Just because the police come in my house. I
23 don't know what's going on.**

24 Q. So your inclination is to run?

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1 residence?

2 **A. Yes.**

3 Q. Fled on foot?

4 **A. Yes.**

5 Q. And you ran to the back gate?

6 **A. Yes.**

7 Q. But an officer was already at the back gate?

8 **A. Yes.**

9 Q. And the officer managed to catch up with you
10 and place you under arrest?

11 **A. Yes.**

12 Q. Do you know the name of the officers that
13 placed you under arrest?

14 **A. I don't.**

15 Q. Can you describe what they looked like?

16 **A. I don't.**

17 Q. Do you know how many officers were there?

18 **A. There was a lot of them.**

19 Q. There was a lot of them?

20 **A. Yeah.**

21 Q. Do you know how many?

22 **A. I know for sure three put me in the car with
23 them. I was in the car with three officers, so I don't
24 know, like, how many other officers was around.**

Page 249

1 **A. Yeah.**

2 Q. Not stay there and find out what it is that
3 they want?

4 **A. I don't talk -- I ain't trying to see what
5 they want. They in the house and they just in there
6 like that. It's obviously there for something I don't
7 want to see them for. I don't know what it is, but
8 definitely don't want to see them.**

9 Q. Did you see the police also taking Lamarius
10 into custody?

11 **A. I did not.**

12 Q. You did not see that.

13 Lamarius was at your house, though. Right?

14 **A. Lamarius stayed on the first floor. I stayed
15 in the basement.**

16 Q. Okay. Who did he stay on the first floor
17 with?

18 **A. My grandma.**

19 Q. Oh, that's Hattie?

20 **A. Hattie, yeah.**

21 Q. Okay. For what period of time was he on the
22 first floor and you were on the second floor?

23 **A. No, I was in the basement.**

24 Q. In the basement.

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1 **A. You said what -- Repeat it.**
 2 Q. How long did that living situation occur for?
 3 **A. Let me see. Probably, like, what, I got out**
 4 **so 2005. It was, like, 2005 to, like, 2009.**
 5 Q. Sorry?
 6 **A. From 2005 to, like, 2009.**
 7 Q. Okay. So for about four years?
 8 **A. Yeah.**
 9 Q. So would you see Lamarius almost on a daily
 10 basis when he was living on the first floor and you were
 11 living in the basement of the same building?
 12 **A. Yeah.**
 13 Q. So would he come out with you almost every day
 14 when you were going out on the streets?
 15 **A. No, he wouldn't, no. Because he wasn't really**
 16 **from over there like that. So he would come around**
 17 **periodically, but he wasn't, like, from there, so he**
 18 **wouldn't come over there with me every day.**
 19 Q. Okay. When the police arrested you on
 20 March 3rd, 2009, you were on parole?
 21 **A. Yeah.**
 22 Q. And what were the terms and conditions of your
 23 parole?
 24 **A. Just don't catch no more cases and don't do**

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1 **no -- no drugs and stuff like that.**
 2 Q. Okay. Did you have, like, any sort of curfew?
 3 **A. No.**
 4 Q. Did you have, like, an ankle monitor or
 5 anything like that?
 6 **A. No.**
 7 Q. Did you have any, like, physical movement
 8 restrictions --
 9 **A. No.**
 10 Q. -- as part of your parole?
 11 **A. No.**
 12 Q. Okay. And then the police -- you're saying
 13 three officers put you in the -- in the car?
 14 **A. Yeah.**
 15 Q. And then they transported you to the police
 16 station?
 17 **A. Yes.**
 18 Q. Where were you taken?
 19 **A. Grand and Central.**
 20 Q. And what happened when you got to Grand and
 21 Central?
 22 **A. I got placed in a room, interrogated I guess**
 23 **after a few hours.**
 24 Q. So you were placed in a room and then were you

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1 left in the room by yourself?
 2 **A. Yes.**
 3 Q. For a few hours?
 4 **A. Yeah.**
 5 Q. And then did some detectives come in to talk
 6 to you?
 7 **A. Yes.**
 8 Q. How many?
 9 **A. I think two.**
 10 Q. Do you know who their names are?
 11 **A. Folino and I think Timothy McDermott.**
 12 Q. How did you get those names?
 13 **A. They told me they names.**
 14 Q. And you just remembered that to this day?
 15 **A. Not since then, but I looked at my -- they**
 16 **came in, like, I'm McDermott -- Officer Detective**
 17 **McDermott and I'm Folino, so they introduced themselves.**
 18 Q. Since you looked at what did you say?
 19 **A. I said since -- I don't know. When I learned**
 20 **about who they was pertaining to my case, who the**
 21 **detectives was, like, oh, yeah, that's officer this.**
 22 **That's it, like ...**
 23 Q. Are you --
 24 **A. With my -- With my attorneys. My attorney,**

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1 **like --**
 2 Q. Okay. Are you aware of -- that your interview
 3 with the police was recorded?
 4 **A. Yes.**
 5 Q. Have you seen those recordings?
 6 **A. No.**
 7 Q. Never?
 8 **A. No.**
 9 Q. When you were -- How long were you at the
 10 police station for at Grand and Central?
 11 **A. Maybe like two days.**
 12 Q. And during those two days, you were treated
 13 well by the police. Right?
 14 MR. RAUSCHER: Object to form.
 15 BY THE WITNESS:
 16 **A. I guess, yeah.**
 17 Q. You were given food to eat?
 18 **A. Yes.**
 19 Q. Given drinks to drink?
 20 **A. Yes.**
 21 Q. Taken to the bathroom any time you wanted to
 22 go?
 23 **A. Yes.**
 24 Q. And you would, like, sleep on the floor.

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1 Right?

2 **A. Yes.**

3 Q. And then the detectives would come in to ask
4 you questions about the shooting?

5 **A. Yeah.**

6 Q. During your conversation, your interview with
7 the police, they told you that you had been identified
8 by several people as the offender in the murder of 13.
9 Right?

10 **A. Yeah.**

11 Q. Did the police tell you that you -- that's
12 what you were under arrest for was the murder of 13?

13 **A. When they told -- Well, they told me that's
14 what I was being questioned for.**

15 Q. Okay. And what did you say to them?

16 **A. I'm being questioned for something I didn't
17 do.**

18 Q. They -- And when they told you that you were
19 being questioned for the murder of 13, you knew that 13
20 was Christopher Hanford. Right?

21 **A. Yeah.**

22 Q. And you knew at that time when the shooting
23 had occurred?

24 **A. That -- That what?**

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1 Q. You knew that 13 had been shot in December
2 of 2008 when the police were questioning you. Right?

3 **A. I knew that he got shot, yeah.**

4 Q. Sorry?

5 **A. I knew he got shot.**

6 Q. Okay. And you knew where you were supposedly
7 at the time of the shooting. Right?

8 **A. I did.**

9 Q. Okay. You never told the police that you were
10 at your mom's job picking her up, did you?

11 **A. Correct.**

12 Q. The police asked you where you were at the
13 time of 13's murder. Right?

14 **A. Yes.**

15 Q. What'd you tell them?

16 **A. I told them I ain't know where I was at.**

17 Q. Didn't you tell them that you were out
18 drinking with your friends?

19 **A. I probably was drinking when that probably --
20 when that probably happened, like, not necessarily at
21 that moment, but I was probably out drinking.**

22 Q. When the police asked you where you were at
23 the time of the murder, you lied and said you were
24 drinking.

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1 You never said, I was picking up my mom from
2 work. Correct?

3 MR. RAUSCHER: Object to form.

4 BY THE WITNESS:

5 **A. I -- You're probably correct, yeah.**

6 Q. Okay. Now, the police told you that they had
7 three separate witnesses that were saying that you
8 killed 13. Right?

9 **A. I guess they did.**

10 Q. And they told you that the murder had occurred
11 on 901 North Lawler?

12 **A. Yeah.**

13 Q. You told the police -- You told the police
14 that people were saying that you were involved in 13's
15 murder. Right?

16 **A. I did say that.**

17 Q. Okay. And you were saying that people were
18 saying that you were involved because people didn't like
19 you?

20 **A. Yeah.**

21 Q. Is that how you felt back then, that people
22 didn't like you?

23 **A. If they saying -- If they saying my name,
24 obviously there got to be a reason for you just to be**

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1 **saying I did something that I didn't do.**

2 Q. Okay. Were you aware of people, like, known
3 enemies that didn't like you?

4 **A. Like, it was just -- a lot of people just were
5 jealous of me.**

6 Q. Because you were running the streets and
7 making all this money?

8 **A. Maybe in that -- in there. That probably
9 could have been a part of it.**

10 Q. Were you, like -- Because you were making all
11 this money selling drugs, were you, like, flaunting your
12 money, like, you know, wearing nice clothing, expensive
13 jewelry, that kind of stuff?

14 **A. I didn't wear jewelry.**

15 Q. Sorry?

16 **A. I didn't wear no jewelry --**

17 Q. Okay.

18 **A. -- but probably clothes. I had cars. You
19 know, and that's it.**

20 Q. And then you were sleeping around with
21 multiple women?

22 **A. Pretty much.**

23 Q. And were people not liking that idea of you
24 sleeping with multiple women at the same time?

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1 **A. Probably they girlfriends and stuff, whoever**
 2 **they -- maybe. It could be possible.**
 3 Q. Okay. The police told you that there were
 4 eyewitnesss, right, that had seen you out there shooting
 5 13?
 6 **A. Yeah.**
 7 Q. And then did the police tell you that they
 8 were interviewing Lamarius?
 9 **A. They hadn't said that they was interviewing**
 10 **him. I knew he was there, though. I mean, like, I**
 11 **knew -- yeah, I knew he was there.**
 12 Q. How did you know he was there?
 13 **A. I think they said that they had -- you guys**
 14 **were cousins, too, or something like that.**
 15 Q. Okay. And you knew it was Lamarius that they
 16 were referring to?
 17 **A. Yeah.**
 18 Q. Did you see Lamarius at any point in the
 19 station?
 20 **A. I didn't.**
 21 Q. Okay. When you were being transported, you
 22 didn't know that he was being transported as well?
 23 **A. I didn't.**
 24 Q. Okay.

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1 **A. Because he -- he was upstairs and he probably**
 2 **was in the car or gone already or something because I**
 3 **was in the basement, so I came out and I didn't see -- I**
 4 **didn't see who was in no cars or nothing like that.**
 5 Q. You told the police that Lamarius said --
 6 Well, strike that.
 7 You told the police that -- Well, strike that.
 8 The police were telling you that they had
 9 eyewitnesss multiple that had seen you shoot 13 and they
 10 also told you that your cousin was saying that you shot
 11 13. Right?
 12 **A. I think they probably did say that.**
 13 Q. Okay. And what was your reaction when you
 14 learned the police were saying that you -- your cousin
 15 was saying that you shot 13?
 16 MR. RAUSCHER: Object to form.
 17 BY THE WITNESS:
 18 **A. You saying what did I feel?**
 19 Q. Yeah.
 20 **A. I ain't believe it because I knew I ain't do**
 21 **it.**
 22 Q. When the police told you that Lamarius was
 23 saying that you were involved in the murder of 13, you
 24 then implicated Lamarius as being the shooter. Right?

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1 **A. No. I -- I don't know. I don't remember.**
 2 Q. Do you remember telling the police that
 3 Lamarius was the trigger man?
 4 **A. I don't remember that.**
 5 Q. Okay. Did you snitch on your cousin to the
 6 police?
 7 **A. I don't remember that.**
 8 Q. You told the police that your cousin Mardi
 9 had some minor shit when the police asked you if there
 10 was some bullshit between two sets.
 11 Do you remember that?
 12 **A. You said did I -- police who?**
 13 Q. The police asked you if there was some
 14 bullshit going on between two sets and you said Mardi
 15 had some minor shit with 13.
 16 Do you remember that?
 17 **A. I don't.**
 18 Q. Okay. Do you know what minor shit Mardi had
 19 going on with 13?
 20 **A. I don't remember.**
 21 Q. Okay. You told the police that your cousin
 22 went off and did shit on his own. Right?
 23 **A. I probably did say that because that's what I**
 24 **tell them, people got to go off and do stuff on they**

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1 **own.**
 2 Q. Did you tell the police what Lamarius had told
 3 you on the night of the murder?
 4 **A. I didn't.**
 5 Q. Did you tell the police that on the night of
 6 the murder Lamarius called my phone and told me that he
 7 shot 13?
 8 **A. I didn't tell them that.**
 9 Q. Did you tell the police that on the night of
 10 the murder that you went to Quinton Davis's house and
 11 you saw Lamarius in person and Lamarius told you again
 12 that he shot 13?
 13 **A. I didn't.**
 14 Q. Why didn't you tell the police any of that?
 15 **A. I -- That's just something I didn't do.**
 16 Q. Okay. But you did tell them that Lamarius was
 17 involved?
 18 **A. Did I detail it? You're saying I told them --**
 19 **I don't remember. I'm saying, did I detail, like,**
 20 **exactly what he supposedly did?**
 21 Q. Well, I'm -- I'm not here to ask -- I'm not
 22 here to answer questions, sir.
 23 So did you tell the police that Lamarius was
 24 involved in the shooting of 13?

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1 **A. I don't remember -- I don't remember saying**
 2 **that.**
 3 Q. Is it your testimony here today that you
 4 don't remember implicating your cousin in the murder of
 5 13?
 6 **A. That's what I'm saying, yeah.**
 7 Q. Is it true when the police told you that your
 8 cousin was saying that you took the gun and you shot 13
 9 that you told the police that Mardi did it?
 10 **A. I don't remember saying that.**
 11 Q. You told the police that the reason everyone
 12 was saying that -- your name was because they didn't
 13 know Lamarius?
 14 **A. I -- I don't recall.**
 15 Q. Okay. Do you remember that being an issue
 16 that people didn't know Lamarius?
 17 **A. I don't recall. I don't.**
 18 Q. People on the street knew who Lamarius was.
 19 Right?
 20 **A. A lot of people didn't know him, though.**
 21 **Like, they only just knew him as being my cousin, like,**
 22 **people probably just knew him as being my cousin, but a**
 23 **lot of people didn't know him because he wasn't really**
 24 **from over there.**

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1 Q. Okay. But the police were telling you that
 2 everyone they interviewed knew who Mardi was and who
 3 Baby Al was?
 4 **A. They wasn't saying specifically, like, who**
 5 **was saying what, though, so I don't know if they was**
 6 **just saying it just to be saying it. I don't know**
 7 **exactly what -- who was saying what.**
 8 Q. Well, do you -- Deandre Guyton, he knew who
 9 you were and he knew who Lamarius was. Right?
 10 **A. Yes.**
 11 Q. And then Oscar Russell, he knew who you were
 12 and he knew who Mardi was?
 13 **A. Yeah.**
 14 Q. And then the people that we talked about
 15 earlier, some of your friends, Johntay Washington, they
 16 knew who you were and they knew who Lamarius was.
 17 Right?
 18 **A. Yeah.**
 19 Q. How about Jamion? He knew who you were and he
 20 knew who Lamarius was?
 21 **A. Yeah.**
 22 Q. So your friends knew who Lamarius was?
 23 **A. Yeah.**
 24 Q. Okay. And when you were at the station at

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1 Grand and Central, there was a time when you spoke to a
 2 prosecutor. Right? An assistant state's attorney?
 3 **A. That I spoke to one?**
 4 Q. Yeah.
 5 **A. No.**
 6 Q. You never spoke to an assistant state's
 7 attorney?
 8 **A. I don't remember speaking to a state's**
 9 **attorney.**
 10 Q. Do you remember somebody else coming in the
 11 room besides Folino and McDermott?
 12 **A. I don't remember.**
 13 Q. Okay. At -- At -- The two days that you were
 14 at the area at Grand and Central, you knew that you were
 15 under arrest for murder. Right?
 16 **A. I didn't know I was under arrest for murder.**
 17 **I just thought I was just being questioned for a**
 18 **murder.**
 19 Q. Okay. Did -- At that time, did you know that
 20 the consequences if you were found guilty of murder
 21 were, like, serious consequences. Right?
 22 **A. I did.**
 23 Q. Okay. Do you remember an ASA by the name of
 24 Dalkin coming in to talk to you?

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1 **A. I don't remember that.**
 2 Q. Okay. The prosecutor also asked you where you
 3 were at the time of 13's shooting. Right?
 4 **A. I don't remember that.**
 5 Q. And you told the prosecutor that you were at
 6 home and that you were drinking with Tywan (phonetic) on
 7 16?
 8 **A. I don't remember that.**
 9 Q. Who is Tywan?
 10 **A. That's Quinton's brother.**
 11 Q. Quinton Davis's brother?
 12 **A. Yeah.**
 13 Q. Okay. If you told the prosecutor that you
 14 were drinking with Tywan at home on 16, that wouldn't be
 15 true and consistent with what you're saying here today.
 16 Right?
 17 **A. I don't recall saying that to the prosecutor.**
 18 Q. Okay. Can you tell us here today if you're
 19 being questioned about a murder and you know that
 20 there's serious charges for the murder why you didn't
 21 tell the prosecutor that you were supposedly picking
 22 your mom up from Dominick's at the time of the murder?
 23 MR. RAUSCHER: Object to form.
 24

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1 BY THE WITNESS:

2 **A. I just didn't -- I just didn't -- I guess I**
 3 **didn't want to give out the information.**

4 Q. You were fighting for your life and you
 5 didn't want to tell the police where you were supposedly
 6 at?

7 **A. The way I was raised up, I didn't think that**
 8 **if I tell, oh, yeah, this were my cousin, this, this,**
 9 **this. That's how I was looking at it, protecting my**
 10 **cousin, but I see he -- his mindset wasn't the same way.**
 11 **He wanted to just -- I was going to keep quiet, let them**
 12 **do their job, let them do, whatever they come up of it,**
 13 **let them figure it out. Not you go do something and**
 14 **then you reverse it off on me because you see they're**
 15 **more focused on me.**

16 Q. So you were going to assert your right to stay
 17 silent?

18 **A. Yeah.**

19 Q. But if you had -- did the thought cross your
 20 mind, like, let me tell the police where I was
 21 supposedly at so maybe they can try to get some video
 22 surveillance from Dominick's to see if I was there?

23 MR. RAUSCHER: Object to form.

24

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1 **but I think my attorney at that time.**

2 Q. Who was that?

3 **A. Charles Piet.**

4 Q. So your testimony is that you told Charles
 5 Piet when Charles represented you that you were at
 6 Dominick's picking up your mom?

7 **A. Yes.**

8 Q. When did you tell him that?

9 **A. I can't remember, like, exactly when I told**
 10 **him, but I told him when he was my attorney.**

11 Q. Did you tell him that, like, the first time
 12 you met him?

13 **A. That I was going -- I don't think I probably**
 14 **was because we were still just trying to figure out**
 15 **everything, so I probably didn't tell him as soon as I**
 16 **talked -- or first met him.**

17 Q. Before you were represented by Charles Piet --
 18 or Piet, however you say it -- you were represented by
 19 another attorney by the name of Richard Kloak?

20 **A. Yes.**

21 Q. And Richard Kloak was a private defense
 22 attorney?

23 **A. Yes.**

24 Q. Who retained him?

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1 BY THE WITNESS:

2 **A. I didn't.**

3 Q. Were you aware that there was video
 4 surveillance most likely at the store?

5 **A. I wasn't thinking about it.**

6 Q. You never told the prosecutor when he asked
 7 you where you were at the time of the murder that you
 8 went to Dominick's to pick up your mom and that you
 9 purchased a candy bar. Right?

10 **A. I didn't tell him that.**

11 Q. Never told the prosecutor that you met your
 12 mom's coworker Ethel at the Dominick's, did you?

13 **A. No, I didn't.**

14 Q. When was the first time after your arrest on
 15 March 3rd, 2009, that you came up with the idea that you
 16 were picking up your mom from Dominick's at the time of
 17 the murder?

18 MR. RAUSCHER: Object to form.

19 BY THE WITNESS:

20 **A. I never came up with that idea.**

21 Q. When was the first time that you told anyone
 22 that you were at Dominick's picking up your mom at the
 23 time of Hanford's murder?

24 **A. I never told -- I don't think I told no one,**

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1 **A. I think my mother.**

2 Q. And Kloak represented you for, like, a few
 3 months?

4 **A. Yeah, maybe it was. I don't remember how**
 5 **long.**

6 Q. Okay.

7 **A. It was short time, though.**

8 Q. And do you know why it was that Kloak stopped
 9 representing you?

10 **A. I think some way, somehow, I think somebody**
 11 **gave me Charles Piet information.**

12 Q. Okay. So then did you fire Kloak?

13 **A. Yes.**

14 Q. Was there a reason you fired Kloak?

15 **A. No, we just got a new attorney.**

16 Q. Was there -- Did you not like Kloak or did you
 17 not think he was investigating the case?

18 **A. I think I was -- I think we was -- me -- me,**
 19 **my father, I think we was talking about it, and I think**
 20 **he was, like, yeah, we'll just go with somebody else, so**
 21 **I really -- don't really know exactly what was what. I**
 22 **think he was, like -- I was -- because I think I might**
 23 **have told him, like, they saying that this guy good or**
 24 **whatever, and I guess he, like, all right, let's go with**

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1 him then.

2 Q. All right. So Kloak -- Sorry, strike that.

3 Charles Piet started representing you in
4 October of 2009.

5 Do you recall that?

6 A. I guess that's when it was.

7 Q. Okay. And Charles Piet represented you from
8 October 10th, 2009, through your trial and sentencing.
9 Right?

10 A. Yes.

11 Q. Okay. And then did you retain another
12 attorney to represent you on your direct appeal?

13 A. Yes.

14 Q. Who represented you on your direct appeal?

15 A. Thomas Brandstrader.

16 Q. Was he a private attorney?

17 A. Yes.

18 Q. Did your mom retain him, too?

19 A. Yeah.

20 Q. And your mom retained Charles Piet, too?

21 A. Yeah.

22 Q. Did you tell Richard Kloak, your first
23 attorney, that you were picking up your mom from
24 Dominick's at the time of the murder?

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1 A. I don't even think I even went that deep into
2 things with him. I think I most likely just seen him
3 probably at, like, court dates when he come back there
4 real fast. And I don't think I really had no formal
5 real sit-down with him.

6 Q. I think he represented you from March 2009
7 till October 10th, 2009.

8 So in that entire time frame, he never came to
9 see you at Cook County jail?

10 A. No. I think that's probably one of -- one of
11 the reasons why we probably didn't (indiscernible.)

12 Q. Did you speak to him on the phone during that
13 time frame?

14 A. No.

15 Q. Sorry?

16 A. No, not me.

17 Q. So when -- So when Charles Piet began
18 representing you in October of 2009, when was the first
19 time that you told him that you were at Dominick's?

20 A. I think he had a conversation with my mother.

21 Q. So did you ever tell him that or your mom told
22 him?

23 A. I think -- I think it was me and my mother
24 had talked about because she was -- I ain't -- I'm not

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1 good with days and all that kind -- she -- that's --
2 she's the type of person that write down every --
3 everything, her whole life on the calendar.

4 So that's how she was able to, I guess, go
5 back and say, oh, yeah, I remember you was -- this day,
6 this day, how is that even possible, so that's what
7 made it -- that's what -- that's how she figured out
8 everything.

9 Q. When did that conversation with your mom
10 occur?

11 A. I think when she came and visit me.

12 Q. Was that shortly after you were arrested on
13 March 3rd, 2009?

14 A. Most likely when I was arrested, yeah, in
15 county when she came to see me.

16 Q. And that's when your mom was going through the
17 calendar and that's when she realized that you might
18 have come to pick her up?

19 A. Yes.

20 Q. What calendar was she looking at?

21 A. Her calendar. She write everything on the
22 calendar. Everybody doctor's appointment on there.
23 Anything -- Anything that have something to do with her
24 life, it was wrote on the calendar.

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1 Q. Was it, like, a pocket calendar?

2 A. No, it's a calendar that's on the wall, you
3 know the calendar that you flip up.

4 Q. Did she bring that to the jail?

5 A. No, she didn't bring it to the jail.

6 Q. Was this during a visit that she told you
7 this?

8 A. I guess she was going back over and she was
9 telling -- and I was, like -- make sure you let him know
10 this, too, so we can -- you know what I'm saying -- to
11 figure out how we could go about this seeing if we can
12 get cameras or videos or whatever may be.

13 Q. And did you tell Charles -- at some point,
14 did you tell Charles Piet that my mom said that I was
15 picking her up from Dominick's at the time of the murder
16 and you should go try to get videos?

17 A. Yeah.

18 Q. How many conversations did you have with him
19 about where you were at the time of the murder?

20 A. I don't remember.

21 Q. But was it numerous?

22 A. If I -- I don't remember exactly how many
23 times I had a conversation.

24 Q. Did he tell you that he was trying to

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1 corroborate whether that was true or not?

2 **A. I think he -- he just say he was going to look**
3 **into it.**

4 Q. Did you ask him more questions after it --
5 after that, like, hey, did you look into it?

6 **A. Probably -- Probably did. I probably did. He**
7 **probably said he probably was still looking into it. I**
8 **don't really remember, like, what his answer was.**

9 Q. Did you ask him, did you find any video
10 surveillance of the Dominick's from the night of the
11 murder?

12 **A. I didn't even -- No, I didn't. I think -- I**
13 **think my -- I think -- if I'm not mistaken, I think my**
14 **mother probably was asking more so at her job.**

15 Q. Oh, your mother was asking the Dominick's?

16 **A. Yes.**

17 Q. Okay. But what about -- do you know any
18 steps that Charles Piet took to try to find out if there
19 was any video footage at the Dominick's from the date of
20 the murder?

21 **A. I don't.**

22 Q. Did you and your mom ever have any
23 conversations about your attorney trying to find out if
24 there was any video surveillance of the Dominick's

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1 **A. I think I really only brought it to him when I**
2 **got the letter.**

3 Q. Okay. Before the letter, you never brought
4 that up?

5 **A. I don't think I -- I just told him I didn't do**
6 **it.**

7 Q. Okay. Well, why didn't you tell him as soon
8 as he began representing you that Lamarius had admitted
9 to you that he had killed 13?

10 **A. I think I was just trying to, like, get the**
11 **feel of my lawyer at the time. Just -- I didn't want to**
12 **just come right out and say that he told me this or**
13 **this, that. I wanted to see, like, how it relate --**
14 **how it was going to, you know, go about, though. I**
15 **really -- And then I still feel like I really -- at that**
16 **time, there was a lot of mixed emotions about it because**
17 **it was just -- it was just -- it was all different to**
18 **me, so I don't know why I didn't tell him.**

19 Q. Because this was an attorney that you knew
20 that your mom had retained. Right?

21 **A. Yes.**

22 Q. So you knew that he was working in your best
23 interest?

24 MR. RAUSCHER: Object to the form.

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1 store?

2 **A. I don't think so.**

3 Q. Did you tell Charles Piet that on the night
4 of the murder that you got a call from Lamarius
5 Robinson?

6 **A. Did I tell her? I think I did tell.**

7 Q. And did you tell him, go find my phone and
8 you'll see that there was a call from him?

9 **A. I don't think I -- I don't think I told him**
10 **that because I don't think I had that same phone number**
11 **at that time.**

12 Q. Did you tell Charles Piet that you saw
13 Lamarius that same night at Quinton Davis's house?

14 **A. I think I told Charles Piet everything that**
15 **transpired with the case.**

16 Q. Okay. But did you tell Piet that you went to
17 Quinton Davis's house and saw Lamarius there and
18 Lamarius told you and Quinton that he did it?

19 **A. I don't know if I told him that, but I told**
20 **him I didn't do it, though. I don't know if -- I ain't**
21 **go and -- I told him I didn't do it.**

22 Q. But did you tell him that Lamarius had
23 admitted to you on two separate occasions that he did
24 it?

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1 BY THE WITNESS:

2 **A. I don't know that.**

3 Q. Did you tell Piet -- Before you got the
4 letter from Lamarius, did you tell Piet, go talk to my
5 cousin?

6 **A. I don't -- I don't remember.**

7 Q. Did you -- At some point, you got a letter
8 from Lamarius. Right?

9 **A. Yes.**

10 Q. And then did you give that letter to your
11 attorney?

12 **A. Yes.**

13 Q. At that point, once you give the letter -- and
14 the attorney that you gave it to was Charles Piet?

15 **A. Uh-huh.**

16 Q. Is that right?

17 **A. Yes.**

18 Q. When you give the letter to Charles Piet, at
19 that point, did you say, go talk to Lamarius?

20 **A. I think when I gave him the letter, he just**
21 **said interesting.**

22 Q. He said interesting?

23 **A. Yeah. Interesting. Yeah.**

24 Q. Did he tell you that he was going to talk to

Page 278

1 Lamarius?

2 **A. He -- He didn't. He didn't say what he was**
 3 **going to do. He just said that -- He said interesting.**
 4 **And then that was it. And I think he ended up talking**
 5 **to him, though. I think he end up calling him.**

6 Q. How do you know that?

7 **A. He said.**

8 Q. Piet told you this?

9 **A. Piet, yeah.**

10 Q. What did he tell you?

11 **A. He said he got a -- I think I asked him did**
 12 **he -- I think he said, like, I'm going to talk to him --**
 13 **at one court date, I think he was, like, I'm going to**
 14 **talk to him or something like that. And then he said he**
 15 **was going to set up a call -- or I mean set up a visit**
 16 **or something, like. And then I think he end up saying**
 17 **that he came up there and talked to him. He's, like --**
 18 **He's, like, all over the place.**

19 Q. Who was all over the place?

20 **A. Lamarius.**

21 Q. All over the place about what?

22 **A. I guess the whole -- the letter, the**
 23 **everything that -- I guess.**

24 Q. Did Piet tell you that Lamarius told him that

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1 he did the murder?

2 **A. He didn't tell me that.**

3 Q. Okay. Did Piet tell you that Lamarius told
 4 him that he did not write the letter?

5 **A. He didn't tell me that.**

6 Q. Did Piet give you, like, any police reports or
 7 any discovery from the case?

8 **A. No.**

9 Q. Did you have access at that point before your
 10 trial to any of the police reports in the case?

11 **A. No.**

12 Q. At some point, while you were awaiting trial,
 13 did you figure out who the witnesses were that had said
 14 that you were involved in the murder of 13?

15 **A. I think I did.**

16 Q. How did you figure that out?

17 **A. I think my lawyer I think at that time. Yeah,**
 18 **my lawyer.**

19 Q. Who?

20 **A. Piet.**

21 Q. Okay. So Piet was the one that told you that
 22 Oscar Russell and Deandre Guyton had given statements
 23 saying that you were involved?

24 **A. Yeah. Like, he came to see me.**

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1 Q. Who?

2 **A. My lawyer. He came to see me. And he was**
 3 **going through the -- like, the discovery and saying how**
 4 **do you know Oscar, Deandre Guyton, and Lamarius. And**
 5 **that's how it went.**

6 Q. And -- And did he tell you not only did they
 7 give statements, but they identified you from a photo
 8 array?

9 **A. I don't think he went on. I don't remember if**
 10 **he went that far, but I know he just said they had gave**
 11 **statements.**

12 Q. When you were in the police station back in
 13 March 2009, were you in a lineup?

14 **A. Yeah, I think.**

15 Q. And did you --

16 (Brief interruption.)

17 MS. ITCHHAPORIA: Oh, sorry.

18 BY MS. ITCHHAPORIA:

19 Q. Did the police tell you who was viewing the
 20 lineup?

21 **A. No.**

22 Q. Did you ever figure out who viewed the
 23 lineup?

24 **A. I guess when I got -- when I was in jail, when**

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1 **I seen who gave the statements, I'm pretty assuming**
 2 **that's who identified me.**

3 Q. Okay. So you knew that Guyton and Deandre had
 4 given -- not only had they given statements, but they
 5 had identified you in a lineup as being involved?

6 **A. Yeah.**

7 Q. Did you tell your attorney to go talk to
 8 Guyton and Oscar Russell?

9 **A. I think I was just pretty much letting him**
 10 **just do his investigation.**

11 Q. Okay. And the --

12 **A. I'm assuming that's what he was going to do.**

13 Q. Okay. In the statement that Oscar Russell
 14 gave, he said -- he listed a bunch of people that were
 15 out on the street when the murder occurred. Right?

16 **A. Yes.**

17 Q. Did you tell Piet to go talk to the people
 18 that Oscar Russell had mentioned in the statement?

19 **A. Definitely told him that. Yes.**

20 Q. Sorry?

21 **A. Yes.**

22 Q. And did you tell him that those people will
 23 say that I wasn't there?

24 **A. I was -- They was going to say I wasn't there**

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1 and they -- they wasn't even there.

2 Q. And how did you know that they were going to
3 say that?

4 A. Because I know that they know that I wasn't
5 there and they wasn't even there.

6 Q. Because you had spoken to them before you had
7 got arrested?

8 A. No, no. They knew this already.

9 Q. Did Piet tell you that he spoke to them?

10 A. He ain't never told me he spoke to them.

11 Q. Did you give him contact information so he
12 could reach out to those people?

13 A. I probably did give him some numbers.

14 Q. Specifically, did you tell him how to contact
15 Johntay Washington?

16 A. I don't remember necessarily, like, if I knew
17 I told him, but I knew if he had -- my thing was if you
18 a lawyer, you probably could pretty much find them on
19 your own. You don't really need me to be giving you
20 these numbers and finding them, doing all that for you.
21 You could do it on your own.

22 Q. But if you had contact information, to make it
23 easier for your attorney, you could have given him
24 contact information for Johntay Washington, Ozell

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1 A. He said that he gone -- and I said, are you
2 going to talk to these people. He said, I'm going to
3 get in touch with them, so that's ...

4 Q. And then did you ever follow up with him and
5 say, did you talk to them?

6 A. I asked him a lot of times. He -- I haven't
7 got around to it. I haven't did -- so, yeah.

8 Q. Before your trial in June of 2011, did you ask
9 him again, hey, have you spoken to Tay, Ozell, Feb, and
10 Big Shorty?

11 A. I'm trying to see who -- Yeah, I think I
12 probably asked him, like -- who -- who was going to be
13 called in.

14 Q. And what did he say?

15 A. He -- I guess he ain't call nobody.

16 Q. Is that what he told you?

17 A. He didn't say that, but I ain't see nobody at
18 my -- no witnesses, so -- on my behalf, so, yeah, it
19 ain't -- he ain't necessarily say they wasn't -- it
20 wasn't no -- he say he ain't calling no witnesses, so
21 that means you haven't talked to nobody.

22 Q. So he told you before your trial that he
23 wasn't going to call any witnesses. Is that correct?

24 A. At the trial, before it started, yeah, he said

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1 Jackson, February Burrage, and Big Shorty. Right?

2 A. Maybe because they was young, too, though, so
3 they really didn't always have cells. They was young,
4 15, 16, so they didn't always have a phone at that -- at
5 that time.

6 Q. But you knew people that could get in --

7 A. I probably did.

8 Q. -- touch with them?

9 A. Yeah.

10 Q. Right?

11 Did you tell Piet that, that if you have
12 trouble finding them, I -- I can get you in touch with
13 them?

14 A. Yeah. If he -- If he needed it -- If he would
15 ask me to help him to reach out to them, then I probably
16 could have helped.

17 Q. Did he ever ask you?

18 A. He didn't.

19 Q. Did he ever tell you that he was taking any
20 steps to find them?

21 A. He did.

22 Q. He told you that?

23 A. He did.

24 Q. What did he tell?

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1 that he wasn't -- there was nobody coming on my behalf.

2 Q. Okay. But he didn't say they're not coming on
3 your behalf because I haven't talk to them, he just
4 said, I'm not calling any witnesses?

5 A. He haven't talked to them neither. He said he
6 haven't talked to them or -- and he's not calling them
7 in.

8 Q. Okay. Did he tell you that specifically that
9 he hadn't talked --

10 A. He hadn't talked -- He told me he hadn't
11 talked to them.

12 Q. Okay. And when we're saying --

13 A. Only person he say -- Only person he talked to
14 was Lamarius and Jenee.

15 Q. Okay.

16 A. I think Jenee. He called her and he's
17 supposed to set up a date, and I don't think they
18 went -- never went through -- he never set up a date
19 with her. Called her back or something like that.

20 Q. Okay.

21 A. Or she called him or something like that.

22 Q. Did you tell him to call Jenee?

23 A. I think I did.

24 Q. Why did you tell him to call -- Why did you

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1 tell your attorney, Charles Piet, to call Jenee?
 2 **A. Just so he could get -- because she probably**
 3 **would be the one that say what transpired.**
 4 Q. How would she know what transpired?
 5 **A. Because she was with Lamarius.**
 6 Q. When was she with Lamarius?
 7 **A. She picked him up.**
 8 Q. When did she pick him up?
 9 **A. I think afterwards after he -- after the**
 10 **shooting.**
 11 Q. How do you know that?
 12 **A. She told me.**
 13 Q. Sorry?
 14 **A. She told me.**
 15 Q. She told you that? When did she tell you
 16 that?
 17 **A. I think she called me probably in -- a little**
 18 **while after that. I think a little after it happened.**
 19 **I don't know exactly the time, but a little while after**
 20 **that happened, she called me.**
 21 Q. So after the shooting of 13, a few days after
 22 that?
 23 **A. I think the same day.**
 24 Q. Oh, it was the same -- So the same day as the

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1 shooting, she called you and told you that she picked up
 2 Lamarius after the shooting?
 3 **A. Yeah.**
 4 Q. What else did she tell you?
 5 **A. She said that he was acting nervous, saying**
 6 **whatever he did. She told him he had to get out her**
 7 **car. And that was -- that was, like -- like, one of the**
 8 **main -- that was one of the things right there. He had**
 9 **to get out her car. She dropped him off at a gas**
 10 **station on Cicero and I think Madison.**
 11 Q. She said that he was acting nervous?
 12 **A. Yeah.**
 13 Q. And that he -- And she told him to get out of
 14 the car?
 15 **A. Yeah. She say he told her what he did.**
 16 Q. Oh, he told her what he did.
 17 Did she say -- Did she elaborate?
 18 **A. She really didn't, though. She just said that**
 19 **he told her what he did. She didn't go into, like,**
 20 **details. She said when he told her, she started -- she**
 21 **got, like, nervous and scared, he got to get the F out**
 22 **her car, I told him he had to get the F out of my car.**
 23 **And I dropped him off. And then I guess why -- in the**
 24 **midst of him -- she dropping him off, I guess he was**

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1 **making a call because he got somebody to meet and pick**
 2 **him up.**
 3 Q. And he called who to pick him up?
 4 **A. He called Quinton.**
 5 Q. Okay. When you're saying that Jenee told you
 6 that he -- Lamarius told her what he did, so did he tell
 7 Jenee, I -- I shot 13?
 8 **A. I'm assuming. That's what she said he said.**
 9 Q. Okay. Did she ever tell you specifically what
 10 Lamarius told her?
 11 **A. She just said that he said he just killed --**
 12 **he just killed I guess 13 or he just killed somebody.**
 13 Q. Did he tell -- Did she tell you that he showed
 14 her the gun?
 15 **A. She never told me that.**
 16 Q. Do you know why it was that he would be
 17 calling Jenee? Because Jenee was your -- the mother of
 18 your child. Right?
 19 **A. Yeah. They got a relationship. They had a**
 20 **relationship. They was cool. They always, like -- you**
 21 **would see them -- you would see them sitting on the**
 22 **front porch kicking it, talking. That -- That was their**
 23 **relationship. They was cool at that time. She'd**
 24 **probably sit up on the phone with him about me.**

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1 Q. So you told Piet, your attorney, you should
 2 speak to Jenee Moreland?
 3 **A. Jenee Moreland, yeah.**
 4 Q. Jenee.
 5 Did you tell him that Jenee will tell you that
 6 she spoke to Lamarius on the night of the shooting and
 7 Lamarius told her that he did it?
 8 **A. Yes, and that it wasn't me. That was my whole**
 9 **point of telling him to talk to her so she could break**
 10 **everything down for him.**
 11 Q. And you said that he called her to arrange a
 12 time to speak, but that never happened?
 13 **A. I think she either called him or he called**
 14 **her, but they both have been setting up a day to meet**
 15 **and never did.**
 16 Q. Well, before your trial, did you say to
 17 Charles, hey, did you meet with Jenee Moreland?
 18 **A. I know he didn't because that was my daughter**
 19 **mother, so he didn't never reach out to her.**
 20 Q. But before the trial, did you ask him, why
 21 aren't you going to call Jenee Moreland to testify at my
 22 trial?
 23 **A. I didn't.**
 24 Q. Why didn't you say that to him?

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1 **A. I really didn't know too much about what**
 2 **was -- all his strategy or whatever it was. I didn't**
 3 **really know too much about it.**
 4 Q. Did he discuss the strategy with you?
 5 **A. Not -- No.**
 6 Q. What was your understanding of what your
 7 defense was going to be at your criminal trial?
 8 **A. I didn't really know.**
 9 Q. Sorry?
 10 **A. I didn't know.**
 11 Q. You had no idea?
 12 **A. No.**
 13 Q. Didn't you discuss that with your attorney?
 14 **A. I didn't know nothing about -- I was all new**
 15 **to that. I didn't know what was this or that. I was**
 16 **just sitting in there for two years. I didn't know too**
 17 **much about what was what.**
 18 Q. Well, you had two prior felony convictions
 19 before this trial. Right?
 20 **A. Yeah.**
 21 Q. Correct?
 22 **A. Yeah.**
 23 Q. So you had gone through the system before?
 24 **A. I was 15 years old when I went through the**

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1 **system. I was so naive to whatever was going on with**
 2 **the court. I didn't know what that was.**
 3 Q. Okay.
 4 **A. Then when I got out, when I was going to court**
 5 **for a drug case, that's a drug case. Nothing -- Nowhere**
 6 **near to no murder case, so didn't know nothing, like,**
 7 **what's going to court, continuance, continuance**
 8 **continuance. They offer you this. Okay. Give you**
 9 **that. That's all that was.**
 10 Q. But you -- But my question is: For the two
 11 prior convictions that you had, you had gone through the
 12 entire court system. Right?
 13 **A. Yeah.**
 14 Q. Beginning to end?
 15 **A. Yeah.**
 16 Q. So you had an idea of -- of how it works,
 17 like, that you have to go to court, there's going to be
 18 statuses, and at some point, there may be a trial?
 19 **A. Didn't know what that was.**
 20 Q. You knew before your trial that you were
 21 facing murder charges. Right?
 22 **A. Yes.**
 23 Q. And did you know how much time you could get
 24 for murder?

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1 **A. Yeah.**
 2 Q. What were you told?
 3 **A. 45 to life.**
 4 Q. Is that what Piet told you?
 5 **A. Yeah.**
 6 Q. So you knew that it was possible that you
 7 could be sentenced to 45 years to life, and yet, you
 8 didn't ask your attorney what your defense strategy was
 9 going to be at your trial?
 10 MR. RAUSCHER: Object to form.
 11 BY THE WITNESS:
 12 **A. Honestly, I didn't. I'm thinking he was going**
 13 **to go do his job. That's what I'm thinking. I'm**
 14 **leaving it to him. He my attorney. So we hired him to**
 15 **do the best interest of me, I'm assuming that's what he**
 16 **was going to do.**
 17 Q. Did you have a discussion with Piet before
 18 your trial about -- Oh, strike that.
 19 You told me before the trial, he did tell you
 20 at some point that he was not going to call witnesses.
 21 Right?
 22 **A. That he -- Yeah, he didn't have no**
 23 **witnesses -- we ain't have no witnesses coming in.**
 24 Q. Did you tell him -- You know, did you tell

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1 him, I insist on you calling witnesses like my mom?
 2 **A. I didn't.**
 3 Q. But your mom was paying for his legal bills.
 4 Right?
 5 **A. Yeah.**
 6 Q. Did you tell your mom before your trial, mom,
 7 he's not going to call you at my trial?
 8 **A. I didn't.**
 9 Q. Why didn't you tell your mom that?
 10 **A. I was -- I think -- Like I said, I was**
 11 **thinking he was going to go do what he was paid to do,**
 12 **do his job. I didn't know his strategy. I didn't know**
 13 **what he was -- what his ideas was or whatever he was**
 14 **going to do. I just left it in his hands.**
 15 Q. Was your mom in the courtroom during your
 16 trial?
 17 **A. Yes.**
 18 Q. Did she come every day?
 19 **A. Yeah.**
 20 Q. And were there any other family or friends
 21 that would come to your trial?
 22 **A. Yeah, there was a lot of people there.**
 23 Q. Like, did -- did Jenee Moreland come to your
 24 trial?

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1 **A. She was there.**
 2 Q. Did she come every day?
 3 **A. I think it was, yeah, like, three days, yes,**
 4 **she was probably there for.**
 5 Q. What about Quinton Davis? Did he come to your
 6 trial?
 7 **A. Quinton Davis, he was in jail I think.**
 8 Q. He was in jail?
 9 **A. I think so, yeah.**
 10 Q. You were obviously there at your trial.
 11 Right?
 12 **A. Yes.**
 13 Q. Was Lamarius, did he come to your trial?
 14 **A. He was there.**
 15 Q. He was there.
 16 Did he come for the entirety of the trial?
 17 **A. He was -- He was incarcerated, though, but**
 18 **they called him in as a witness.**
 19 Q. Okay.
 20 **A. Or whatever they did.**
 21 Q. What about any of the guys that we talked
 22 about earlier like Johntay Washington, Ozell Jackson,
 23 did any of them come to your criminal trial?
 24 **A. I don't remember.**

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1 Q. You don't remember.
 2 Did any of the other mother of your children
 3 come to your trial?
 4 **A. Shanice was there.**
 5 Q. Mama J was at your trial?
 6 **A. Yeah.**
 7 Q. Did you tell Piet you should talk to Shanice
 8 Johnson because Shanice Johnson knows that Dre and I
 9 have issues and that's why Dre might be saying I was
 10 involved?
 11 **A. I probably did say that. I probably did say**
 12 **talk to her, too.**
 13 Q. Do you know if he made any steps to talk to
 14 Shanice?
 15 **A. He ain't talk to no one.**
 16 Q. Sorry?
 17 **A. He ain't talk to no one.**
 18 Q. So no one took the stand at your criminal
 19 trial and testified that you were in a place other than
 20 at the scene of the murder at the time the murder
 21 occurred. Right?
 22 **A. Correct.**
 23 Q. Now, prior to the end of your criminal trial,
 24 you were advised by the judge that you had a right to

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1 testify in your own defense. Right?
 2 **A. Correct.**
 3 Q. And you understood what the judge was saying
 4 to you when the judge said that. Right?
 5 **A. Yeah.**
 6 Q. You knew that you could get up on the witness
 7 stand and answer your attorney's questions as well as
 8 the state's questions?
 9 **A. Yes.**
 10 Q. And you made the choice not to testify in your
 11 own defense. Right?
 12 **A. I was advised by my attorney not to.**
 13 Q. Okay. And you took that advice?
 14 **A. Yeah.**
 15 Q. Okay. So it was your decision not to get up
 16 on the jury stand and tell the jury where you were?
 17 **A. Basically going off of what I feel like he**
 18 **telling me what's right to do.**
 19 Q. What did he tell you?
 20 **A. He said you're not going to get on -- get on**
 21 **the stand.**
 22 Q. Sorry?
 23 **A. He, like, he don't want me to get on the**
 24 **stand.**

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1 Q. He told you he did not want you to get on the
 2 stand.
 3 Did he tell you why?
 4 **A. No.**
 5 Q. Did you ask?
 6 **A. I didn't.**
 7 Q. Did you tell him, hey, I want to get up there
 8 and tell the jury my side of the story?
 9 **A. He told me that he advised me not to. I -- I**
 10 **just rode with his flow.**
 11 Q. So the jury that decided that you were guilty,
 12 they never heard your story about where you were at the
 13 time of the murder. Right?
 14 **A. No.**
 15 Q. And no police officer interfered with your
 16 ability to testify on your own -- on your own behalf at
 17 your criminal trial. Correct?
 18 MR. RAUSCHER: Object to form.
 19 BY THE WITNESS:
 20 **A. You said no police officer?**
 21 Q. Yeah.
 22 MR. RAUSCHER: Calls for a legal conclusion.
 23 BY THE WITNESS:
 24 **A. No. No police -- No police bothered me.**

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1 Q. Okay. No police officer told you don't, call
 2 your mom to testify as your alibi witness?
 3 **A. No.**
 4 Q. Right? That didn't happen?
 5 **A. Huh?**
 6 Q. That did not happen?
 7 **A. No.**
 8 Q. Did you -- Did Piet ever tell you that he was
 9 going to be relying on the state's inability to prove
 10 that you were guilty?
 11 **A. I don't remember him saying what he -- what**
 12 **his real strategy was. I didn't -- If that's what**
 13 **he -- I don't know. I don't know that's what he was**
 14 **thinking.**
 15 Q. How many times did he come to see you at Cook
 16 County jail before your trial?
 17 **A. He probably seen me probably -- at the most,**
 18 **probably -- I was in jail for ... Probably two, three**
 19 **times maybe.**
 20 Q. And then did you talk to -- did you talk to
 21 him on the phone?
 22 **A. I never talked to him on the phone.**
 23 Q. Never?
 24 **A. Because they -- a lot of attorneys didn't want**

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1 **you just calling them off the -- the -- the jail phones,**
 2 **so I never called him.**
 3 Q. Did he ever arrange for, like, a legal call
 4 where you could talk to him at Cook County Jail where it
 5 could be a legal call?
 6 **A. No.**
 7 Q. When you -- So he would come to -- he came to
 8 the jail at least two or three times you're saying?
 9 **A. Yes.**
 10 Q. And then you would also -- between the time
 11 of your arrest and your trial in June 2011, you would
 12 have statuses where you would have to go to court.
 13 Right?
 14 **A. Yes.**
 15 Q. And would he come and talk to you when you're,
 16 like, in the bullpen when you're waiting for your court
 17 hearing?
 18 **A. Yeah.**
 19 Q. And he would talk to you almost every time
 20 when you had a court hearing?
 21 **A. Yes. Conversation wasn't no detailed**
 22 **conversation, though.**
 23 Q. But you had access to him when you had
 24 opportunities to ask him about what your defense was

Page 300

1 going to be at the trial?
 2 **A. Yeah.**
 3 Q. Did he ever write you any letters?
 4 **A. No.**
 5 Q. So he never communicated with you in writing?
 6 **A. No.**
 7 Q. Did you send him any letters?
 8 **A. I probably didn't. I don't think I did.**
 9 Q. Okay. One of the occasions when he came to
 10 the jail, that's when you gave him the letter that
 11 Lamarius wrote to you?
 12 **A. I think I called -- I think I called -- I**
 13 **think I called him on three-way or something like that**
 14 **and told him that I just got this letter. You should**
 15 **come up here and get it and that was it.**
 16 Q. And then he did come to the jail?
 17 **A. Yeah, he came to jail.**
 18 Q. Okay. So you asked him to come because you
 19 got a letter and he came?
 20 **A. Yes.**
 21 Q. Did you tell him who the letter was from?
 22 **A. Yes.**
 23 Q. Okay. So before the trial, did you have a
 24 conversation with Charles Piet about whether or not he

Page 301

1 was going to call Lamarius to testify?
 2 **A. Was he going to call him? No, I never asked**
 3 **him. I never asked him was he going to call him.**
 4 Q. Well, did you ask Piet, like, are you going
 5 to tell my jury about the letter that Lamarius sent to
 6 me?
 7 **A. I thought that's what he was going to do. I**
 8 **thought that he was going to do that.**
 9 Q. How did you come to that thought?
 10 **A. Because I gave it to him.**
 11 Q. Okay. But did you happen to have a
 12 conversation with him?
 13 MR. RAUSCHER: Object to form.
 14 BY THE WITNESS:
 15 **A. I never -- Like I said, I really didn't know,**
 16 **like, when certain times when they having conversations,**
 17 **I really didn't understand a lot of it, so I didn't**
 18 **know if he was going to -- if the letter was going to**
 19 **get brought out to the jury or whatever. I didn't know.**
 20 Q. All right.
 21 MS. ITCHHAPORIA: Let's just take a five-minute
 22 break.
 23 THE VIDEOGRAPHER: We are now off the record at
 24 3:22 p.m.

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1 (A short break was had.)
 2 THE VIDEOGRAPHER: We are back on the record at
 3 3:32 p.m.
 4 BY MS. ITCHHAPORIA:
 5 Q. When you were being interviewed by the police,
 6 did -- the police told you that Lamarius was saying that
 7 you were involved. Right?
 8 **A. I think they did say that.**
 9 Q. Okay. Did you ever confront Lamarius about
 10 why he implicated you in the murder?
 11 **A. I think I did.**
 12 Q. And what did he say?
 13 **A. I think he said they was at -- they wanted**
 14 **you -- they wanted you.**
 15 Q. What does that mean?
 16 **A. That the police wanted you. They weren't**
 17 **thinking about him.**
 18 Q. The police wanted Ju?
 19 **A. They wanted you. He said --**
 20 Q. Oh, you.
 21 **A. The police saying, they wanted you. You.**
 22 Q. You. Okay.
 23 **A. Yeah.**
 24 Q. When did you have this conversation with him?

Page 303

1 **A. I think he came to see me in county.**
 2 Q. Okay. So he comes to see you at the county
 3 and you're, like, hey, why'd you tell the police it was
 4 me?
 5 **A. I said, why you lie on me.**
 6 Q. And he said the police said they wanted you?
 7 **A. Yeah, police, you.**
 8 Q. And so he just went along with it?
 9 **A. Yeah.**
 10 Q. Did he tell you why he went along with it?
 11 **A. He didn't say.**
 12 Q. He never told you the police made me say it
 13 was you that was involved. Right?
 14 **A. He -- No, he didn't.**
 15 Q. Okay. He didn't say the police forced him to
 16 implicate you in the murder?
 17 **A. No.**
 18 Q. He just told you the police wanted Lamarius to
 19 say Allen Robinson was involved and so he just said
 20 Allen Robinson was involved?
 21 **A. That's all he said. He said the police wanted**
 22 **you.**
 23 Q. Did you ask him more information?
 24 **A. I really didn't because I really was -- when I**

Page 304

1 **found out that he had lied on me, I really wasn't really**
 2 **trying to talk to him like that. So when he was coming**
 3 **up there saying he was crying, doing all that stuff, I**
 4 **wasn't really -- my mind was just at a different --**
 5 **like, I -- if I beat it, I'm gonna beat it because**
 6 **it's -- it's all based off false lies and all this, so**
 7 **that's why I really wasn't -- I really -- I wasn't**
 8 **really, like, trying to communicate with him really**
 9 **also. It was like it is what it is. Like -- Like,**
 10 **that's how I was looking at it with him. Like, I wasn't**
 11 **really going too much into conversations with him about**
 12 **it.**
 13 Q. How many times did he come and see you at the
 14 Cook County Jail?
 15 **A. I don't know how many times.**
 16 Q. Multiple times?
 17 **A. He came to me multiple times.**
 18 Q. And you would -- I mean, you could refuse a
 19 visit. Right?
 20 **A. You could refuse it, but you didn't know who**
 21 **it was until --**
 22 Q. Until he came?
 23 **A. Yeah. Until he came. And then sometimes**
 24 **they might -- they got the door locked, you can't view**

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1 **out.**
 2 Q. Well, did you ever tell him to stop coming to
 3 visit me?
 4 **A. I told him I ain't want to see him a lot of**
 5 **times.**
 6 Q. Did you hate him?
 7 **A. I feel sometime -- I ain't going to say I**
 8 **hated him, but I definitely wasn't -- it was a different**
 9 **type of love for him.**
 10 Q. Well, did you stop loving him?
 11 **A. It was a different type of love. It was still**
 12 **love because that's my family at the end of the day, but**
 13 **it was a different type of love for him.**
 14 Q. Did Lamarius tell you that the police offered
 15 him anything in exchange for him implicating you in the
 16 murder of 13?
 17 **A. No, no, no.**
 18 Q. Sorry?
 19 **A. No, he didn't.**
 20 Q. Did Lamarius tell you that the police
 21 physically abused him in any way to get him to implicate
 22 you in the murder?
 23 **A. No.**
 24 Q. Did Lamarius tell you why the police wanted

Page 306

1 you?

2 **A. No.**

3 Q. Do you have an understanding of why supposedly
4 the police wanted you?

5 **A. I don't know what they reason was.**

6 Q. Did Lamarius --

7 **A. Go ahead.**

8 Q. Did Lamarius tell you anything about his time
9 in custody when he was being interviewed by the police
10 in March of 2009 about the 13 homicide?

11 **A. He real -- We really didn't talk about it**
12 **that -- that -- that much. When I seen that he had**
13 **lied on me, it was more so, like, what -- what more**
14 **could we talk about? You said what you said to them**
15 **already. Like, what could we -- what's -- what's more**
16 **to -- to go into it.**

17 Q. Have you ever seen the video footage of his
18 interview with the police where he implicates you?

19 **A. No.**

20 Q. Is it your understanding that he voluntarily
21 and freely implicated you in the murder of 13?

22 MR. RAUSCHER: Object to form.

23 BY THE WITNESS:

24 **A. You said what?**

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1 Q. Is it your understanding that Lamarius
2 voluntarily and freely implicated you in the murder of
3 13?

4 MR. RAUSCHER: Same objection.

5 BY THE WITNESS:

6 **A. I don't know.**

7 Q. Did you ever ask him?

8 **A. No, I didn't.**

9 Q. Did you ever ask him, why did you agree --
10 when the police said that they wanted Allen Robinson,
11 why did you agree with that?

12 **A. I didn't ask him, no.**

13 Q. Do you know if he got anything from the police
14 to implicate you?

15 **A. No. He did go home from the police station,**
16 **though.**

17 Q. He did go home from the police station?

18 **A. Uh-huh.**

19 Q. What do you mean by that?

20 **A. He wanted -- He was released from the police**
21 **station.**

22 Q. Because he implicated you in the murder.
23 Right?

24 **A. That he -- Yeah, that he lied on me, yeah.**

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1 Q. Sorry?

2 **A. Yes, that he lied on me.**

3 Q. Right.

4 **A. And then they let him go I guess.**

5 Q. But were you aware of any witnesses that the
6 police had that were saying that Lamarius was involved?

7 **A. I didn't know about nothing. I ain't know.**

8 Q. Okay. Deandre Guyton was called by the state
9 to testify at your criminal trial. Right?

10 **A. Yes.**

11 Q. Before Deandre testified at your criminal
12 trial, did you have any communication with him?

13 **A. No.**

14 Q. And you knew that he had given a -- signed a
15 statement -- a typed up statement saying that he saw you
16 point a gun at Hanford and shoot in Hanford's direction.
17 Right?

18 **A. Yes.**

19 Q. And then at trial, Andre recanted some of his
20 typed up statement. Right?

21 **A. Yes.**

22 Q. He claimed the detectives told -- He claimed
23 he told the detectives that you were with the person
24 that shot Hanford. Right?

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1 **A. I guess that's probably what he said.**

2 Q. Okay. Do you remember him saying that at your
3 trial?

4 **A. At the trial -- The trial was blurry, so I**
5 **don't really -- too much -- it was blurry in my eyes, so**
6 **I don't really remember everything that was said inside**
7 **there. That's why when I read from my transcripts, then**
8 **I see what was -- certain things that he did say from**
9 **reading the transcripts.**

10 Q. Okay. Did you know that Dre was going to
11 recant portions of his typed up statement?

12 **A. I didn't.**

13 Q. Before --- Sorry, before he testified at your
14 criminal trial, did you know that?

15 **A. I didn't.**

16 Q. Had you asked Shanice to reach out to Dre to
17 get him to recant some of his typed up statement?

18 **A. Shanice didn't really like getting involved**
19 **with -- with that.**

20 Q. Did you ask her?

21 **A. I didn't.**

22 Q. Dre testified at your criminal trial that you
23 were on the corner of Lawler and Iowa when Christopher
24 Hanford was shot. Right?

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1 **A. He testified to that, yes, he did.**

2 Q. And so you're saying that when he testified to
3 that, that was not true?

4 **A. That's a lie.**

5 Q. He -- When your attorney asked Dre questions,
6 he said that he saw you, Baby AI, coming out of his --
7 Sorry, strike that.

8 When Piet asked Dre when did he first see you,
9 he said that he saw you at the corner when he was coming
10 out of his house. Right?

11 **A. Yeah.**

12 Q. Did you or anyone else at your request ask Dre
13 why he testified that you were out on the street at Iowa
14 and Lawler right before 13 got shot?

15 **A. Did we ask him that?**

16 Q. Yeah.

17 **A. Did we ask him why did he say that?**

18 Q. Yeah.

19 **A. No.**

20 Q. Okay. Dre also testified that before 13 was
21 shot that Mardi held him up at gunpoint and tried to
22 shoot him, but the gun didn't work. Right?

23 **A. He did.**

24 Q. And that was consistent with what Lamarius had

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1 guess he's, like, yeah, they try to make me get down on
2 him, I ain't go or something like that. So she was,
3 like -- I told her, like, that ain't true. I'm, like,
4 he came to my trial and lied on me.

5 She said, he told me he didn't. And I
6 guess -- I guess -- I guess he sat back and then -- then
7 he came up to her and told her, yeah, I lied on him, I
8 want to make it right or whatever -- however it been
9 with the -- I don't know exactly how the conversation
10 went, but some way, somehow he told her that he had lied
11 on me and he tried to get himself up out of a jam or
12 whatever he was in.

13 Q. And did he say why he had lied on you?

14 **A. Yeah, to get himself out of a jam.**

15 Q. What do you mean by that?

16 **A. Jam is like when you -- he got caught with
17 some drugs or whatever, and so he was willing to say
18 whatever it was to get himself out of or whatever the
19 police wanted him to say to get himself up out of it.**

20 Q. And this is what Tatiana Lomax was relaying to
21 you --

22 **A. Yeah.**

23 Q. -- on the phone when you were in prison?

24 **A. Yeah.**

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1 told you?

2 **A. Exactly.**

3 Q. Okay. And then Oscar Russell also testified
4 at your criminal trial. Right?

5 **A. Yes.**

6 Q. And he testified -- And he had given a
7 statement as well. Right?

8 **A. Yes.**

9 Q. And he testified at your criminal trial
10 consistent with the statement?

11 **A. Yeah. Yes.**

12 Q. Correct?

13 **A. What he said in the statement.**

14 Q. He continued at the trial to say that you were
15 involved in the murder of 13. Correct?

16 **A. Yes.**

17 Q. Now, you got an affidavit from Oscar Russell
18 that you attached to your post-conviction petition?

19 **A. Yes.**

20 Q. How did that affidavit come about?

21 **A. I think he called his -- I think -- I don't
22 know. Him and his cousin, Tatiana Lomax, had some form
23 of conversation, and I guess she had said something to
24 him about how much time I had got or something, and I**

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1 Q. Okay. And did you ask Tatiana if she could
2 get Russell to give an affidavit saying these things?

3 **A. I said -- Yeah, I told her -- asked her would
4 he give -- would he tell -- would he tell the truth.**

5 Q. Okay. Did you tell her what you wanted him to
6 say in the affidavit?

7 **A. No, I ain't tell her what I wanted him to say.**

8 Q. We briefly touched on this, but you were
9 arrested in April 26th, 2003, for robbery and unlawful
10 vehicular invasion. Right?

11 **A. Yes.**

12 Q. And that was the arrest with Marcus Huddleston
13 and Quinton Davis?

14 **A. Yes.**

15 Q. And on that date, April 26, 2023 [sic], you
16 approached the victim's car door, opened it while your
17 codefendants approached the car from the passenger side
18 door and you had a gun and you demanded the victim's
19 property, didn't you?

20 MR. RAUSCHER: Did you say 2023 there?

21 MS. ITCHHAPORIA: Sorry, 2003. If I said '23 --

22 MR. RAUSCHER: Maybe I misheard it.

23 BY THE WITNESS:

24 **A. That I had a gun?**

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1 Q. Yes.

2 **A. I didn't have the gun.**

3 Q. Who had the gun?

4 **A. Huddleston.**

5 Q. And who ordered the -- who demanded -- Well,

6 strike that.

7 Who showed the victim the gun?

8 **A. Huddleston.**

9 Q. And who asked the victim to provide -- or

10 demand for the victim to provide the property?

11 **A. Huddleston.**

12 Q. And then who robbed the victim?

13 **A. Huddleston.**

14 Q. But you had the victim's cell phone in your

15 pocket, didn't you, when you were arrested?

16 **A. Yes.**

17 Q. How did you get the victim's cell phone?

18 **A. When we got through walking off -- dispersing**

19 **everything, I had -- here goes some money, here's the**

20 **phone. That's how it was.**

21 Q. And then on May 14th, 2004, you were convicted

22 on that case. Right?

23 **A. Yes.**

24 Q. And you -- you had an attorney that

Page 315

1 represented you?

2 **A. Yes.**

3 Q. And the charge was reduced from armed robbery

4 to unlawful vehicular invasion. Correct?

5 **A. Yes.**

6 Q. And you pled guilty to the charge of unlawful

7 vehicular invasion?

8 **A. Yes.**

9 Q. And you got -- you were sentenced to six

10 years?

11 **A. Yes.**

12 Q. And then you served about 25 months?

13 **A. Yes.**

14 Q. And I think you served those 25 months at the

15 Illinois Youth Center in St. Charles?

16 **A. Yes, St. Charles.**

17 Q. And then -- So you get out around in 2006?

18 **A. I got out in 2005.**

19 Q. 2005. Okay.

20 When did you get out?

21 **A. I think that was May. May 2005.**

22 Q. So you served less than 25 months?

23 **A. That's 25 months. From 2003 to 2005.**

24 Q. Oh, okay.

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1 And then you got out in 2005 and then you were

2 arrested again February 28th, 2006?

3 **A. February -- Yeah, for I think violating -- I**

4 **think, yeah, a violation.**

5 Q. You were arrested for aggravated assault of --

6 of a person by the name of Jermaine White?

7 **A. Oh, oh. Yeah, yeah. Yes, I was.**

8 Q. White had identified you to the police as the

9 person who shot him on February 26th, 2006. Right?

10 **A. Shot at him or shot him?**

11 Q. Shot him.

12 **A. No.**

13 Q. Sorry?

14 **A. No, that's -- that's -- I ain't shoot him.**

15 Q. Okay. Did you shoot at him?

16 **A. Didn't shoot at him neither.**

17 Q. Okay. Do you know why he identified you as

18 the person who shot at him?

19 **A. I don't.**

20 Q. What happened with that case?

21 **A. It got threw out.**

22 Q. Do you know why?

23 **A. I don't.**

24 Q. Do you know why Jermaine says that you shot at

Page 317

1 him?

2 **A. That's Deandre Guyton's brother.**

3 Q. Jermaine White is Deandre Guyton's brother?

4 **A. Yeah.**

5 Q. And he's also -- is Jermaine White also a

6 member of the Four Corner Hustlers?

7 **A. I don't know. I really don't even know him.**

8 Q. Did you -- Was it -- Are you saying that

9 Jermaine White made up to the police that you shot him?

10 **A. Yes.**

11 Q. Did you have any issues with Jermaine White?

12 **A. No.**

13 Q. And you don't know why the case was thrown

14 out?

15 MR. RAUSCHER: Objection, asked and answered.

16 BY THE WITNESS:

17 **A. I don't.**

18 Q. Okay. And then you were arrested again

19 July 20th, 2007, for possession of an illegal

20 substance?

21 **A. Yeah.**

22 Q. And you were also arrested on the same day,

23 July 20th, 2007, for manufacturing a delivery. Right?

24 **A. What was the first one you said?**

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1 Q. It was possession and manufacturing a
2 delivery.
3 **A. That was 2007?**
4 Q. Yeah.
5 **A. Yeah.**
6 Q. And you were arrested at 4922 West Walton?
7 **A. Uh-huh.**
8 Q. Is that correct?
9 **A. Yes.**
10 Q. It's a couple blocks north of Iowa?
11 **A. A block.**
12 Q. A block.
13 And then is it a block east of Lawler?
14 **A. Yeah.**
15 Q. Okay. That's the area where you would
16 typically sell drugs?
17 **A. Yeah.**
18 Q. And you got -- you were selling heroin that
19 day. Right?
20 **A. That's what they arrested me for.**
21 Q. Okay. Is that what you were selling?
22 **A. They found it in the backyard.**
23 Q. Okay.
24 **A. They ain't find it on me. They found it in**

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1 **the backyard.**
2 Q. Is that what you were selling, though, that
3 day?
4 **A. I wasn't selling it.**
5 Q. Was someone selling it for you?
6 **A. Nobody wasn't selling it for me. It was in**
7 **the backyard.**
8 Q. Whose backyard was it in?
9 **A. Ran -- Somebody back -- I don't know who**
10 **backyard. It was in the backyard. They found it in the**
11 **backyard.**
12 Q. Did you plead guilty in that case?
13 **A. Yes.**
14 Q. You were represented by an attorney. Right?
15 **A. Yes.**
16 Q. And you got 18 months in IDOC custody?
17 **A. Yes.**
18 Q. And did you serve the full 18 months?
19 **A. I did three months.**
20 Q. You did three months.
21 **A. 90 days.**
22 Q. Sorry?
23 **A. 90 days.**
24 Q. Okay.

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1 **A. 90 days or something like that.**
2 Q. When did you get out?
3 **A. I think I turned myself in in probably like --**
4 **a couple days after Christmas, so maybe I think, like,**
5 **March 25th or something if I ain't mistaken.**
6 Q. So you got out March 25th --
7 **A. I think I got out on my mother birthday, yeah.**
8 **I think that was March 25th.**
9 Q. Okay. And then when you got out on March
10 25th, 2008, you were on parole?
11 **A. Yeah.**
12 Q. And how long was the parole supposed to be?
13 **A. I was on parole for a year, one year.**
14 Q. And that's why when you got arrested in
15 March 2009, your parole was just coming to an end?
16 **A. Yeah, my parole -- Yeah, I had 22 days left on**
17 **parole.**
18 Q. How do you remember that 22 days?
19 **A. I had 22 -- because it was my -- it was for**
20 **my -- I was getting off parole on my mother birthday.**
21 Q. Okay. Do you have any other convictions other
22 than those two?
23 **A. Convictions?**
24 Q. Yeah.

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1 **A. That was really -- That was it.**
2 Q. Okay.
3 **A. I had the -- the -- unlawful vehicle invasion**
4 **and then the 2007 drug case. Yeah, that was the main**
5 **convictions.**
6 Q. Okay. Do you know how many times you've been
7 arrested in total?
8 **A. No, I don't.**
9 Q. Does 12 sound about accurate?
10 **A. Maybe.**
11 Q. Do you recall an incident where you were
12 arrested with Lamarius for selling drugs?
13 **A. That's -- That's -- That's in -- That's in**
14 **2007.**
15 Q. That's in the 2007 one?
16 **A. Uh-huh.**
17 Q. Was Lamarius also arrested?
18 **A. Yes.**
19 Q. Okay. And did he get time?
20 **A. Yeah, I think he -- Yeah, he -- I think he did**
21 **get some time, too.**
22 Q. How much time did he get?
23 **A. I don't remember exactly how much time he**
24 **got. I was -- I think I got out of jail before him,**

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1 **though.**

2 Q. Okay. And you're saying you weren't
3 possessing the drugs.

4 Was Lamarius possessing the drugs?

5 **A. No.**

6 Q. Sorry?

7 **A. No.**

8 Q. No.

9 Who was possessing the drugs?

10 **A. The drugs in the backyard. They say where
11 they discovered the drugs from.**

12 Q. Okay. Did they -- In that case, did either
13 of you implicate each other as being the ones that
14 were -- like, the offender or the person that had the
15 drugs?

16 **A. No.**

17 Q. Do you know who Wayne Frano is?

18 **A. Yeah, I know Wayne Frano.**

19 Q. Who is that?

20 **A. A police officer.**

21 Q. And do you know that you've named him as a
22 defendant in this case?

23 **A. Yes.**

24 Q. What's your understanding of what you're

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1 **scene.**

2 Q. Okay. Remember, you got to get my question
3 out because we don't want to frustrate the court
4 reporter. Okay?

5 Do you know who David Zelig is?

6 **A. Yeah.**

7 Q. Who is that?

8 **A. Yeah, he a police officer. We call him**

9 **Spider.**

10 Q. He what --

11 **A. He a police officer. His nickname is Spider.**

12 Q. His nickname is Spider.

13 **A. Yeah.**

14 Q. How do you know Officer Zelig?

15 **A. From the area, then coming in contact with him**

16 **sometimes.**

17 Q. Has he ever arrested you?

18 **A. No, he never arrested me.**

19 Q. Do you know how he got the name Spider?

20 **A. Yeah, he used to -- it was -- he used to be,
21 like, always, like, in -- in bushes and under cars and
22 stuff like that.**

23 Q. Kind of, like, creeping?

24 **A. Watching everybody doing whatever they doing,**

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1 claiming that he did to you?

2 **A. He lied.**

3 Q. How'd he lie?

4 **A. He lied saying he seen me.**

5 Q. He lied saying he saw you at the scene of the
6 murder?

7 **A. Yeah.**

8 Q. Did he do anything else?

9 MR. RAUSCHER: Object to form.

10 BY THE WITNESS:

11 **A. I don't know what else he did.**

12 Q. Okay. Are you accusing him of doing anything
13 else?

14 **A. No.**

15 Q. Okay. What about do you know who Vincent
16 Celio is?

17 **A. Yes.**

18 Q. Who is he?

19 **A. Wayne Frano partner.**

20 Q. Why are you suing Vincent Celio?

21 **A. Because he said he seen me, too.**

22 Q. Vincent -- You're saying Vincent Celio said he
23 saw you --

24 **A. Lied and say that he seen me on the crime**

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1 **yeah.**

2 Q. And what's your understanding of what you're
3 claiming that David Zelig did to you in this case?

4 MR. RAUSCHER: Can I just -- I just want to be
5 careful about privilege here. And we can have this not
6 in front of him if you prefer, but I think you're asking
7 him what is -- what is he -- what acts is he saying that
8 these individuals did, not what theories -- about legal
9 theories is what you're asserting.

10 MS. ITCHHAPORIA: I'm just asking what his
11 understanding is.

12 MR. RAUSCHER: His understanding of?

13 MS. ITCHHAPORIA: Why he's suing David Zelig. What
14 he's claiming David Zelig did.

15 MR. RAUSCHER: I think we're saying the same thing,
16 what the person did, not, like, what conversations you
17 had with your attorney --

18 MS. ITCHHAPORIA: Yeah, don't --

19 MR. RAUSCHER: -- how did you decide what to pursue
20 and what legal theory --

21 MS. ITCHHAPORIA: Yeah, yeah.

22 MR. RAUSCHER: What he -- What he -- What he's
23 saying Zelig did to him.

24 MS. ITCHHAPORIA: Yes.

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1 **THE WITNESS: To me?**

2 MR. RAUSCHER: Not -- Not the attorneys. Not --
3 Don't talk about anything attorneys have talked about.
4 She's not asking for the legal theories your attorneys
5 are saying. She's asking what did David Zelig do to
6 you.

7 BY THE WITNESS:

8 **A. He didn't do nothing to me personally as far**
9 **as -- I didn't have really -- I had no contact with**
10 **David Zelig.**

11 Q. Okay. Do you know what you're claiming in
12 this lawsuit that he did to you?

13 **A. Can I defer that to my attorney? Because I**
14 **don't -- I don't know, like, what -- what -- like, how**
15 **they wrote up, how they -- I don't really know so I --**
16 **that's why I said -- because I don't really know, like.**

17 Q. Okay. That answers my question.

18 Do you know an individual by the name of Peter
19 Babich?

20 **A. Yeah.**

21 Q. And who's that?

22 **A. That's Zelig's partner.**

23 Q. And what's your understanding of what acts
24 you're claiming that Peter Babich did?

Page 327

1 **A. I don't know.**

2 Q. Okay. Do you know an individual by the name
3 of Patrick Conroy?

4 **A. I don't know who that is.**

5 Q. Do you know that you named him as a defendant
6 in this case?

7 **A. I seen it.**

8 Q. Sorry, you've seen his name?

9 **A. Yeah.**

10 Q. What are you claiming that Patrick Conroy did
11 to you?

12 **A. He -- I have no idea what --**

13 Q. Okay. Do you know who Tim McDermott is?

14 **A. Yes.**

15 Q. And you know that he's a defendant in your
16 case?

17 **A. Yes.**

18 Q. Why are you suing Tim McDermott?

19 **A. I feel like he orchestrated this whole -- all**
20 **the lying and everything that was done towards me, I**
21 **feel like he narrated it.**

22 Q. What lying?

23 **A. The witnesses that he brought forth, called --**
24 **that he had come forward say they seen me, et cetera.**

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1 **That's what -- That's -- That's what I feel that he was**
2 **involved in.**

3 Q. And what's -- when you're saying witnesses,
4 which witnesses are you referring to?

5 **A. Oscar, Deandre Guyton, Lamarius, them, the**
6 **witnesses.**

7 Q. Okay. And same question for John Folino.

8 Do you know who he is?

9 **A. Yeah.**

10 Q. And what are you claiming that John Folino
11 did?

12 **A. He had the witnesses lie on me, too.**

13 Q. And those are the three witnesses?

14 **A. Yes.**

15 Q. Are you saying that McDermott and Folino made
16 Deandre Guyton and Oscar Russell identify you as the
17 offender that shot and killed 13?

18 MR. RAUSCHER: Object to form.

19 BY THE WITNESS:

20 **A. Yes.**

21 Q. And what's your basis for saying that?

22 **A. Because he told them, did you say this about**
23 **him, they got caught with drugs and all these other**
24 **cases, and then all of a sudden they just get released**

Page 329

1 **out of jail. I think that they -- I think some type of**
2 **deal and something was -- if you tell some people that**
3 **don't -- that got feelings or whatever, okay, yeah, I'm**
4 **going to let you -- or you get caught with drugs, say**
5 **this about Allen Robinson. Okay, go ahead, we let you**
6 **out. Say this. Say this about Allen Robinson. I'm**
7 **going to let you out. You got somebody that don't**
8 **even -- You got a person that you let give a statement**
9 **on me that you're saying -- me and him have a child by**
10 **the same person. He don't like me, but you -- I'm**
11 **telling you say this about him, though. I think it came**
12 **about or something -- Deandre Guyton, he don't like me.**

13 **So you're letting a guy that have real hate**
14 **towards you to say, yeah, he the one did it. Are you**
15 **really a part of it all? You ain't trying to figure it**
16 **out. So that's why I look at it, like, he played a big**
17 **role in it, too.**

18 Q. Did Deandre Guyton ever tell you that the
19 police made him identify you as the offender?

20 **A. He said that on the stand.**

21 Q. He said that on the stand?

22 **A. Yeah.**

23 Q. At your criminal trial?

24 **A. Yeah.**

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1 Q. That's your understanding of what he said?

2 **A. That's what he said.**

3 Q. But he also testified at your criminal trial

4 that you were on the scene?

5 MR. RAUSCHER: Object to form.

6 BY THE WITNESS:

7 **A. He did say that. He did testify to that. He**

8 **said what was his reason for saying that. He said they**

9 **told me to say this.**

10 Q. But did he say that they told him to say that

11 you were at the scene?

12 **A. Yeah, he said that at trial.**

13 Q. I'm going to mark this as Exhibit, next, 6.

14 (Robinson Deposition Exhibit No. 6

15 marked as requested.)

16 BY MS. ITCHHAPORIA:

17 Q. Mr. Robinson, the court reporter has handed to

18 you what we've marked as Exhibit 6 to your deposition

19 which for the record is Bates marked Robinson 002650

20 through 2651.

21 Do you recognize this document, sir?

22 **A. Yes.**

23 Q. And you've seen this document before?

24 **A. Yes.**

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1 Q. Will you look at the second page? Is that

2 your signature?

3 **A. Yes.**

4 Q. And you signed this on July -- or, sorry,

5 June 18th, 2014?

6 **A. Yes.**

7 Q. Okay. And this is an affidavit of yourself?

8 **A. You said this affidavit of myself?**

9 Q. Yeah, it says affiant is Allen Robinson in the

10 first paragraph.

11 Do you see that?

12 **A. Yes, I see that.**

13 Q. Okay. So this is your affidavit that we're

14 looking at. Right?

15 **A. Yes.**

16 Q. And this is -- affidavit was attached to your

17 post-conviction petition that was filed in 2014?

18 **A. Yes.**

19 Q. And did you write this up?

20 **A. No.**

21 Q. Did you read it before you signed it?

22 **A. Yes.**

23 Q. Are there any changes that you would like to

24 make or is it accurate?

Page 332

1 **A. It's accurate.**

2 Q. Okay. When was the last time you saw this?

3 **A. When I had -- at Menard.**

4 Q. At Menard?

5 **A. Yeah.**

6 Q. Okay. So I just want to look at the -- where

7 is it? Paragraph 2. You told your trial counsel to

8 speak with Quinton -- Quinton Martell Davis and Jenee

9 Moreland, both of whom were with Lamarius Robinson

10 shortly after the shooting. Affidavit informed his

11 attorney that Mr. Davis and Ms. Moreland would testify

12 that Lamarius admitted to having committed the shooting.

13 Do you see that?

14 **A. Yes.**

15 Q. And the trial counsel you're referring to is

16 Mr. Piet?

17 **A. Yes.**

18 Q. Did you ever tell Mr. Kloak to speak to

19 Quinton Davis or Jenee Moreland?

20 **A. No.**

21 Q. Okay. And did you ask Davis and Moreland if

22 they would testify that Lamarius had admitted to

23 committing the shooting?

24 **A. Jenee used to come and see me. She would be**

Page 333

1 **mad at me that I did not -- didn't say nothing already.**

2 **So she used to be mad, why you sitting in here for**

3 **something you didn't do. I always heard that all the**

4 **time for her -- from her.**

5 Q. Okay.

6 **A. And I think -- I don't know how, but it was**

7 **Quinton -- I think he's saying, like, yeah, I'll tell**

8 **the truth about what had happened from what I know.**

9 Q. Okay. And you told your attorney, Charles

10 Piet, to speak to Davis and Jenee Moreland before your

11 criminal trial in 2011?

12 **A. Yeah.**

13 Q. You also told -- In paragraph 3, it says that

14 you informed your attorney that Davis -- Mr. Davis could

15 also identify Lamarius's handwriting in the letter

16 affiant received from Lamarius, wherein Lamarius

17 admitted that he shot Hanford not affiant.

18 Do you see that?

19 **A. Yes.**

20 Q. And when you're saying his attorney, you're

21 referring there to Charles Piet?

22 **A. Yes.**

23 Q. Okay. And you told Mr. Piet that Lamarius --

24 sorry, that Mr. Davis could identify Lamarius's

Page 334

1 handwriting?

2 **A. Yes.**

3 Q. How did you know that Davis could identify
4 Lamarius's handwriting?

5 **A. He always -- We all went to school together,
6 been around each other forever.**

7 Q. Does he have -- Does Lamarius have distinct
8 handwriting?

9 MR. RAUSCHER: Object to form.

10 BY THE WITNESS:

11 **A. I don't know if it's distinctive, but if you
12 know somebody that you've been knowing for a long time,
13 you know their handwriting when you see it.**

14 Q. Did you show the letter that Lamarius wrote
15 where he supposedly admitted he shot Hanford, did you
16 show that to Davis -- Mr. Davis?

17 **A. No, I couldn't show it to him.**

18 Q. You couldn't?

19 **A. No.**

20 Q. What do you mean?

21 **A. He's in jail.**

22 Q. Okay. But didn't Mr. Davis come and visit you
23 in jail?

24 **A. Mr. Davis been in jail.**

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1 Q. Oh, he was in jail. Okay.

2 Did you ever ask Quinton Davis if he
3 recognized Lamarius's handwriting in the letter?

4 **A. Did I ask Quinton Davis?**

5 Q. Yeah.

6 **A. Could he -- Could he?**

7 Q. Could he.

8 **A. I don't think I asked Quinton that because I
9 really wasn't communicating with him, like, to be able
10 to ask him, like -- but I knowing he probably know
11 because he been around us forever.**

12 Q. Okay. Did you know --

13 **A. And they was in the same class together, too,
14 in school, so ...**

15 Q. Did you tell Quinton Davis that Lamarius had
16 wrote you this letter?

17 **A. No. I don't think I did.**

18 Q. Okay. Then paragraph 4, it says, In addition,
19 affiant provided counsel with the names of several
20 individuals, all of whom were named by Oscar Russell in
21 his handwritten statement and grand jury testimony
22 including Johntay Washington (Tay), Ozell Jackson
23 (Ozell), February Burrage (Feb), and Jamion Winters
24 (Big Shorty), and requested that they testify on

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1 affiant's behalf.

2 Do you see that?

3 **A. Yes.**

4 Q. And again, when you're saying counsel here in
5 paragraph 4, you're referring to Charles Piet?

6 **A. Yeah.**

7 Q. Is that right?

8 **A. Yes.**

9 Q. And when it says several individuals, was it
10 specifically these four names or five names that you
11 gave to --

12 **A. I think I -- I think I told him -- I think I
13 told him Shannon -- I think Shannon James, too, I think
14 I told him.**

15 Q. You did tell him that?

16 **A. Yeah.**

17 Q. Why didn't you include that in the affidavit?

18 **A. I think he -- I think he -- I think it is -- I
19 think he in there.**

20 Q. No, why isn't he in this paragraph?

21 **A. Probably left him out.**

22 Q. Why'd you leave him out?

23 **A. I don't know.**

24 Q. Okay.

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1 **A. Probably slipped my mind or something. I
2 don't know.**

3 Q. You told -- According to this paragraph, you
4 told your attorney that each of these witnesses would
5 have been able to confirm that Russell did not see them
6 at the shooting of Christopher Hanford because they were
7 not there despite Russell's statements to the contrary.

8 Do you see that?

9 **A. Uh-huh.**

10 Q. And how did you know that these four
11 individuals were not at the scene of the shooting?

12 **A. Because when Lamarius told me what -- who was
13 there, he was never there or them.**

14 Q. Okay. But February was there?

15 **A. February was there.**

16 Q. So then why did you say to your attorney that
17 February would testify that he did not see the shooting
18 of Christopher Hanford if February was there?

19 **A. I don't know.**

20 Q. Okay. So that's actually incorrect then.
21 Right?

22 **A. Yeah.**

23 Q. So February's name should not be included?

24 **A. Yeah, sure.**

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1 Q. Was there anybody else that you were saying
2 was out there -- that Oscar Russell was saying was out
3 on the scene but wasn't really there?

4 **A. Nobody else was there.**

5 Q. Okay. At some point, you had spoken to all
6 of these people before your arrest and you knew that
7 they were going to say that they had not seen the
8 shooting?

9 **A. You said at one point I talked to them?**

10 Q. Right.

11 Between the time of the murder and before your
12 arrest, had you spoken to them?

13 Remember, we talked about that earlier?

14 **A. Oh, yeah, yeah, yeah.**

15 Q. And so you knew that they were going to say
16 that they weren't at the scene of the murder?

17 **A. Because they wasn't there. I knew they was --
18 Yeah, they wasn't there.**

19 Q. Because they had told you that?

20 **A. Because I knew they wasn't there from what
21 Lamarius had told me who was there.**

22 Q. Right.

23 I know Lamarius told you who was there, but
24 you had also spoke to some of these people as well.

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1 Right?

2 **A. Yeah.**

3 Q. And they told you that they weren't there as
4 well?

5 **A. Yeah.**

6 Q. And that's what you told your attorney?

7 **A. Yeah.**

8 Q. It goes on to say, Affiant informed his
9 counsel that each of the witnesses would have been able
10 to confirm that Russell did not see them at the shooting
11 of Chris Hanford because they were not there despite
12 Russell's statements of the contrary. I think I read
13 that.

14 All right. Going on to paragraph 5, Affiant
15 also told counsel of another witness, Aaron Marshall.
16 Affiant advised his counsel that Mr. Marshall was
17 Mr. Hanford's "chief," who Russell mentioned in his
18 statement and grand jury testimony.

19 Do you see that?

20 **A. Yes.**

21 Q. So counsel again in paragraph 5 refers to
22 Charles Piet?

23 **A. Yeah.**

24 Q. So you told your attorney that Aaron Marshall

Page 340

1 was, in fact, Christopher Hanford's chief?

2 (Witness viewing document.)

3 BY THE WITNESS:

4 **A. I see that right there.**

5 Q. Okay.

6 (Witness viewing document.)

7 BY THE WITNESS:

8 **A. I guess -- I guess I probably say that he the
9 chief. I don't know. But he around them, but they
10 ain't -- I don't consider him as being no chief, though,
11 but he probably is somebody that they looked up to more
12 so, but I don't really put too much of a title of him
13 being a chief on there, though.**

14 Q. Okay. And then you also told Mr. Piet that
15 Mr. Marshall would testify that there was no exchange of
16 heated words between Mr. Marshall, Mr. Hanford, and you
17 two weeks prior to the shooting. Right?

18 **A. Right.**

19 Q. How did you know Mr. Marshall would testify
20 like that?

21 **A. I think -- I think I probably was talking to
22 somebody and probably tell them, like, something like
23 that, like, that Oscar saying that me and 10-4 -- Aaron
24 Marshall got into a heated argument. That wasn't never**

Page 341

1 **true, though. So that's why I think it got out. So
2 when he's saying that, I -- he -- like, I'll give an
3 affidavit that that ain't true.**

4 Q. Who were you speaking to about that?

5 **A. I don't know. Probably a few of my homeys or
6 something like that, probably, I don't know. But I know
7 it got back that he said he was willing to let it be
8 known that that ain't true, that me and him never, ever
9 had no misunderstanding never, ever, so ...**

10 Q. So when you're saying a few of your homeys,
11 you're referring to your friends?

12 **A. Yeah.**

13 Q. Do you remember which friend you spoke to or
14 friends?

15 **A. Probably who have a better relationship with
16 him, probably either Charles Pickens --**

17 Q. Charles Pickens?

18 **A. Maybe Charles, yeah, that's more so probably.**

19 Q. Anybody else?

20 **A. No, that's probably more so. I probably
21 mentioned it to other people, but I know if I mentioned
22 it to him, for sure he'll probably talk to him.**

23 Q. Okay. So is it your understanding that
24 Charles Pickens did, in fact, go and talk to Aaron

Page 342

1 Marshall?

2 **A. He -- I don't know if he talked to him, but I**
 3 **know that it got back to me that he's saying that it's a**
 4 **lie, that me and him never got into it. So I don't know**
 5 **if he talked to him and --**

6 Q. How did that get back to you?

7 **A. I don't know. Honestly, I don't know exactly,**
 8 **like, how everything transpired, but I know before it**
 9 **got back to him that he said that he would give an**
 10 **affidavit that it ain't true.**

11 Q. Then looking at paragraphs --

12 **A. I think he was in jail around the time that**
 13 **this -- this arguing and everything supposedly**
 14 **transpired with us anyway, so ...**

15 Q. Oh, it's your belief that Aaron Marshall was
 16 in jail?

17 **A. Yeah.**

18 Q. How do you know that?

19 **A. Because he stayed in jail and that's what he**
 20 **said, that he was in jail around the time it happened.**

21 Q. That's what he said in his affidavit?

22 **A. Affidavit, I guess when they -- I guess when**
 23 **it got brought to him that -- I supposedly had got into**
 24 **it with him, he was, like, it's impossible because I was**

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1 **in jail, so that's why I think that's what it was, how**
 2 **it came back, so I told my lawyers, like, holler at him,**
 3 **he said he was in jail around that time, so he can show**
 4 **that it ain't true.**

5 Q. And that would show that Russell's statement
 6 is not true. Right?

7 **A. Exactly.**

8 Q. So in paragraph 6, it says, In addition,
 9 affiant told his counsel to speak with his mother,
 10 LaTanya Fleming. On the night of the shooting, affiant
 11 had gone to pick his mother up from Dominick's on
 12 Halsted and Madison in Chicago. Affiant's mother was
 13 scheduled to work until 9:00 p.m. that night, and
 14 affiant went into the store at approximately 9:00 p.m.
 15 to let her know he was there. Affiant purchased a
 16 Snickers candy bar and then waited in the car in the
 17 parking lot for his mother to finish her shift.

18 Do you see that?

19 **A. Yes.**

20 Q. And is that what you told Mr. Piet?

21 **A. Yes.**

22 Q. You stated in the affidavit that your mother
 23 was scheduled to work until 9:00 p.m. Today you told us
 24 you don't recall what time her shift was supposed to

Page 344

1 end.

2 Do you remember that testimony from earlier
 3 today?

4 **A. Yes.**

5 Q. How do you remember at the time of your
 6 affidavit in 2014 that her shift was going to end at
 7 9:00 p.m.?

8 MR. RAUSCHER: Object to form.

9 BY THE WITNESS:

10 **A. Because at the time -- like I say, I don't**
 11 **remember dates and times, none of that, like. This is**
 12 **something that I wrote with this petition in 200 -- I**
 13 **don't remember. I was trying to put things together,**
 14 **remember what transpired and -- and -- and from what**
 15 **conversations with family, my mother and my lawyer's**
 16 **investigating, doing whatever they doing and they**
 17 **figured it out.**

18 Q. And did -- did you draft this document?

19 **A. Did I draft it?**

20 Q. Yeah.

21 **A. No, I ain't write it. I ain't --**

22 Q. You didn't type it up?

23 **A. No.**

24 MR. RAUSCHER: Asked and answered.

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1 BY MS. ITCHHAPORIA:

2 Q. Okay. You never told Mr. Piet about meeting
 3 Ethel Lewis. Right?

4 **A. You say did I tell him that?**

5 Q. Yeah.

6 **A. I don't think -- I don't think I tell him**
 7 **that.**

8 Q. Yeah, because that's not in this affidavit
 9 that you told him that. Right?

10 **A. I don't think I tell him.**

11 Q. Then it says, None of the -- last part, None
 12 of the witnesses affiant told his attorney to speak with
 13 were ever called to testify on affiant's behalf.
 14 Instead, counsel presented no evidence or testimony to
 15 refute the state's evidence.

16 Do you see that?

17 **A. Yeah.**

18 Q. Okay. Now, it doesn't say in there that he
 19 didn't speak to them.

20 It just says that they weren't called to
 21 testify. Right?

22 **A. That's what it says here.**

23 Q. Okay. Do you know if he spoke to any of the
 24 people that you've got listed here in the affidavit?

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1 MR. RAUSCHER: Objection, asked and answered.
 2 BY THE WITNESS:
 3 **A. He didn't.**
 4 Q. He did not?
 5 **A. He didn't talk to -- no.**
 6 Q. Based on what he told you?
 7 **A. Exactly.**
 8 Q. Okay. When you were in Cook County Jail and
 9 when you were in prison, would you see your -- the
 10 three children that you had at the time, would you see
 11 them?
 12 **A. Yeah.**
 13 Q. Would they come to visit you?
 14 **A. Yeah.**
 15 Q. And would you communicate with them?
 16 **A. Yeah.**
 17 Q. Would you call them?
 18 **A. Well, when I got arrested, they was babies,**
 19 **so ...**
 20 Q. Okay.
 21 **A. My daughter, she was two and a half. She'll**
 22 **come up there and see me.**
 23 Q. Okay.
 24 **A. But couldn't really talk to the little babies.**

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1 Q. As they got older when you were in prison,
 2 would you call them?
 3 **A. Oh, yeah.**
 4 Q. Like, on a frequent basis?
 5 **A. Call them, yeah. They visited me, too.**
 6 Q. They would visit you?
 7 **A. Yeah.**
 8 Q. All three of them?
 9 **A. Yeah.**
 10 Q. Would you also write to them?
 11 **A. Yep.**
 12 Q. And would they write to you?
 13 **A. My daughter wrote to me -- My daughter -- you**
 14 **know, the little I miss you daddy type of letters like**
 15 **that, yeah.**
 16 Q. Okay. And you have a relationship with all
 17 three of your children to this day?
 18 **A. Yeah.**
 19 Q. Would you also e-mail them, your children from
 20 time to time?
 21 **A. Yeah.**
 22 Q. Since you've been released from custody in
 23 May of 2022, have you ever sought any sort of
 24 psychological or psychiatric counseling?

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1 **A. No.**
 2 Q. Are you currently taking any medications?
 3 **A. Yes.**
 4 Q. What do you take?
 5 **A. I forgot the name because, like I said, it's**
 6 **like -- it's high blood pressure medication and it's**
 7 **another -- it start with I think a C, something like**
 8 **that. I don't know how to say it.**
 9 Q. Okay. Who prescribed it?
 10 **A. It came from -- It's been prescribed when I**
 11 **was in Menard.**
 12 Q. Okay.
 13 **A. And then when I came home, you know, they send**
 14 **the prescription that you get out with you, so my**
 15 **doctor, Linda Chen, she prescribed -- she prescribed it**
 16 **out to me. Linda Chen.**
 17 Q. Linda Chen?
 18 **A. Yes.**
 19 Q. Okay.
 20 **A. My -- My primary doctor at Rush Hospital.**
 21 Q. So she continued to prescribe medications for
 22 high blood pressure?
 23 **A. And the other word -- I don't know the name.**
 24 **It's --**

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1 Q. Okay. What's the other medication for?
 2 **A. Sleep.**
 3 Q. It helps you sleep?
 4 **A. I couldn't sleep, yeah, when I was in there,**
 5 **so they gave me that for sleeping, head, everything.**
 6 **That supposed to make you go to sleep pretty much.**
 7 Q. And how often are you --
 8 **A. I take one a day.**
 9 Q. You take one a day?
 10 **A. Yeah.**
 11 Q. So you were prescribed that in prison?
 12 **A. Yeah.**
 13 Q. In which facility?
 14 **A. Menard.**
 15 Q. And so do you remember when you were first
 16 prescribed it at Menard?
 17 **A. No, I don't remember.**
 18 Q. Okay. And what was it -- you were having
 19 trouble, like, falling asleep or staying asleep?
 20 **A. Falling asleep.**
 21 Q. Falling asleep. Okay.
 22 So it would take you a long time to fall
 23 asleep?
 24 **A. Sometimes be up to -- Yeah, barely could**

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1 **sleep. Go to sleep, nod off for a few -- few minutes**
 2 **and wake back up, so it was hard to sleep.**

3 Q. Okay. And then once you started taking the
 4 medications, you had no issues with your sleep?

5 **A. I was going to sleep.**

6 Q. Sorry?

7 **A. I was going to sleep, yeah.**

8 Q. You were going to sleep. Okay.
 9 And do you currently still take that?

10 **A. I take it sometimes because I don't really**
 11 **like -- I don't really like how it make me feel.**

12 Q. Okay. How did it make you feel?

13 **A. Drowsy.**

14 Q. So you took it every day when you were in
 15 prison after you were prescribed it?

16 **A. Uh-huh.**

17 Q. Is that a yes?

18 **A. Yes.**

19 Q. And then when you got out, Dr. Linda Chen
 20 prescribed it?

21 **A. Yes.**

22 Q. But you stopped taking it every day, you just
 23 take it as you need it?

24 **A. Yes.**

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1 Q. Where is the pharmacy -- Which pharmacy do you
 2 get that prescription filled at?

3 **A. The Walgreens -- I mean, Walmart -- what's**
 4 **that? Like, Kilpatrick and North Avenue.**

5 Q. And how many times have you filled a
 6 prescription for that sleep medication since you were
 7 released in 2022?

8 **A. I don't know how many times I filled it, but I**
 9 **know my mother be the one that pick up all my medication**
 10 **for me.**

11 Q. Just -- It's only those two medications.
 12 Right?

13 **A. Yeah, that's it. So when I go to my doctor,**
 14 **she might ask me, like, do you need more of this or do**
 15 **you need more of this. Sometimes I might tell her,**
 16 **like, I already got -- I got enough of it where you**
 17 **don't got to prescribe no more. I see her every six**
 18 **months, so that's pretty much it. Whenever I tell her,**
 19 **if I need this prescribed some more or I don't.**

20 Q. So you said you stopped -- you don't take it
 21 every day because it makes you feel drowsy?

22 **A. Uh-huh.**

23 Q. Is that -- Is that yes?

24 **A. Yes.**

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1 Q. Do you take anything else then?

2 **A. Just my high blood pressure.**

3 Q. No, I mean, do you take anything else to help
 4 you sleep?

5 **A. No.**

6 Q. Okay. Do you have any issues with your sleep
 7 currently?

8 **A. I do.**

9 Q. You do?

10 **A. Yeah.**

11 Q. What are your issues currently with your
 12 sleep?

13 **A. It's just still hard to sleep. Hard to fall**
 14 **asleep on -- I don't know what it is. It's just -- it's**
 15 **still hard to sleep, though.**

16 Q. Do you know why you are having issues with
 17 your sleep?

18 **A. I honestly -- Maybe it's -- it's just rolled**
 19 **over from jail. That's when it really started. I used**
 20 **to sleep real well before I went to jail. And I think**
 21 **it just passed on to me out here.**

22 Q. Do you know why -- what your issues were with
 23 sleep in jail?

24 MR. RAUSCHER: Objection, form.

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1 BY THE WITNESS:

2 **A. Just the whole -- Just being in jail, period,**
 3 **the stress, the noise, just everything how you --**
 4 **it's -- that's probably what -- that's probably the**
 5 **main thing, the stress, the noise, the whole being in**
 6 **jail I guess pretty much.**

7 Q. The whole, sorry?

8 **A. Being in jail.**

9 Q. Oh, being in jail. Okay.

10 But then since your release, though, you don't
 11 have the stress and the noise now, right, so why do you
 12 continue to have issues with your sleep?

13 **A. I think I -- I still got certain ways that**
 14 **I -- like, that I am, like, in jail. Like, I think**
 15 **it's -- In jail, I was more so, like -- like, I was,**
 16 **like, antisocial pretty much in jail. I think I'm still**
 17 **like that right now where I don't like to be around a**
 18 **lot of people, so I come home, I might not -- let's say**
 19 **if they having a Christmas party or -- I won't be around**
 20 **in the crowd. I will go in the room and get my plate**
 21 **and I'll go in the room and close the door, so I don't**
 22 **know, if it's still from the effects of jail and just**
 23 **not fully adapting back to the -- real adjusted yet,**
 24 **so ...**

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1 Q. How -- How would you -- On average, on a given
2 day since your release, how many hours are you sleeping
3 a night?

4 **A. I literally just told my friend this, I'm,**
5 **like, yesterday -- no, the day before yesterday, I**
6 **probably slept -- I woke up so many times, like, I**
7 **just -- I be waking up and, like, I don't really get,**
8 **like -- I got no real, real, like, deep sleep where it**
9 **just felt good, like, I haven't really got that.**

10 Q. Have you ever participated in, like, a sleep
11 study?

12 **A. I haven't.**

13 Q. Okay. Have you ever had, like, a professional
14 examine you while you're sleeping?

15 **A. No.**

16 Q. Okay. And the high blood pressure, when did
17 you start taking that medication?

18 **A. When I was at Menard. I don't know what year,**
19 **though.**

20 Q. You don't know what year?

21 **A. Yeah, I don't know exactly what year.**

22 Q. And you're still taking it?

23 **A. Yeah.**

24 Q. What's the name of that medication?

Page 355

1 **A. It start with an H, hydro -- (indiscernible) I**
2 **don't know exactly -- hydro -- hydro something. I don't**
3 **really know how to say long names like that.**

4 Q. Okay. From -- When you were -- You were in
5 Cook County Jail from March 3rd, 2009, until your
6 sentencing in July 2011. Is that right?

7 **A. Yes.**

8 Q. And then after you were transferred out of
9 Cook County Jail, you went to Stateville, and then from
10 Stateville, you went to Menard. Is that right?

11 **A. Yes.**

12 Q. When you were at Cook County Jail awaiting
13 trial from the time of your arrest, were you the subject
14 of any, like, physical or sexual abuse?

15 **A. No.**

16 Q. How about when you were in prison?

17 Were you ever subjected to any physical or
18 sexual abuse when in prison?

19 **A. No.**

20 Q. So let's talk about when you were -- you were
21 at Stateville for, like, less than a month, right, when
22 you actually got sentenced?

23 **A. Yeah. I think it was less than a month.**

24 Q. And then Menard is where you spent most of

Page 356

1 your time?

2 **A. Yes.**

3 Q. I think about from August 2011 till about
4 November of 2021?

5 **A. Yeah.**

6 Q. Does that sound right?

7 **A. Yeah. Yeah, about right.**

8 Q. So about ten years?

9 **A. Yeah.**

10 Q. So during the ten years that you were in
11 Menard, you were in a -- you were in a cell?

12 **A. Yes.**

13 Q. Can you describe the cell?

14 **A. A bunk -- A bunk bed where you -- with one**
15 **person on the bottom, one person on the top, a toilet**
16 **with a sink connected to it, two stands where you'd be**
17 **able to put your -- put your TVs and your other stuff on**
18 **there. There's four -- like, four property boxes in**
19 **there, like, you got a big -- a big box where you put**
20 **your clothes and stuff and everything. You got a little**
21 **box, like -- for, like, you can put your legal mail and**
22 **stuff in there. A little desk and then bars. That's**
23 **pretty much -- a light. That was it.**

24 Q. Did you have a TV in your room?

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1 **A. Yes.**

2 Q. And then would you watch TV?

3 **A. Yeah, I watched TV sometimes, yeah.**

4 Q. What did you like to watch?

5 **A. I used to watch a lot of TLC shows, like,**
6 **when they be, like, fixing -- like real estate, fixing**
7 **the houses. HGTV. I watched HGTV, Dr. Pimple Popper.**
8 **I watched sports. I listened to the music channels a**
9 **lot. That was, like -- probably watched the movies that**
10 **they played. When they played the movies, I would watch**
11 **the movies that they played.**

12 Q. Where would they play the movies?

13 **A. On the -- It's like -- You know, they'll**
14 **play -- like, they made it go through the -- like, the**
15 **whole jail, so everybody throughout the whole jail would**
16 **see the movie -- the movie that they played.**

17 Q. Did you have a radio?

18 **A. No, they ain't have -- we had -- at the time,**
19 **they had -- when I first went, we had Walkmans where**
20 **you play it, get tapes and stuff like that. You order**
21 **tapes from the outside vendor. And then after that,**
22 **they upgraded to a tablet and stuff like that where you**
23 **could buy the streaming and stuff like that, so ...**

24 Q. Tablets?

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1 **A. Yeah.**
 2 Q. So you could listen to music on a tablet?
 3 **A. Yeah, you could listen on a tablet.**
 4 Q. Did you do that?
 5 **A. Yeah, I did.**
 6 Q. So did you have a tablet?
 7 **A. Yeah.**
 8 Q. At Menard?
 9 **A. Yes.**
 10 Q. Okay. And on the tablet, were you -- is that
 11 how you were able to e-mail family and friends?
 12 **A. Yeah.**
 13 Q. And on the tablet, could you do, like, video
 14 calls with family members and friends?
 15 **A. No, no. You can't do that. You can -- Not on**
 16 **the tablet, not your personal tablet. No, not that one**
 17 **you couldn't. But you could go to another area where**
 18 **you could do video visits and stuff like that with your**
 19 **family.**
 20 Q. Okay. Would you do that?
 21 **A. Yeah, I did that.**
 22 Q. You'd do video visits with your family and
 23 friends?
 24 **A. Uh-huh.**

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1 Q. Is that a yes?
 2 **A. Yes, ma'am.**
 3 Q. And so on the tablets, could you also, like,
 4 play games?
 5 **A. I think -- I think we had to buy em. I**
 6 **wouldn't really -- I ain't buy em.**
 7 Q. I'm sorry, you have to what?
 8 **A. On the tablet, I think you have to pay for it.**
 9 Q. Okay.
 10 **A. And I think I ain't using my money towards**
 11 **that -- I probably more so bought, like, toy stuff,**
 12 **being able to text and the music, streaming music.**
 13 Q. Stream movies?
 14 **A. Music. Music.**
 15 Q. Music.
 16 **A. Yeah, music.**
 17 Q. Oh, okay.
 18 And on your tablet, you could stream music and
 19 you could e-mail and you could text?
 20 **A. Uh-huh.**
 21 Q. Is that a yes?
 22 **A. Yes.**
 23 Q. Could you text anybody or you had -- they have
 24 to be on an approved list?

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1 **A. They had to -- They had to I think -- I think**
 2 **they have to sign up. When they sign up, then it'll let**
 3 **you know that they signed up, and then, you know, you**
 4 **can start communicating with them.**
 5 Q. Okay. And then were there certain times when
 6 you could leave your cell and go into, like, the
 7 dayroom, for example?
 8 **A. No dayroom.**
 9 Q. Sorry?
 10 **A. No dayroom at Menard.**
 11 Q. There was no dayroom at Menard. Okay.
 12 Were you able to go to the yard?
 13 **A. Yes, you go to the yard two times a week.**
 14 Q. And would you go to the yard?
 15 **A. Yes.**
 16 Q. And what would you do in the yard?
 17 **A. Go in the yard, get on -- get on the phone,**
 18 **maybe do a little working out, run around -- run the**
 19 **laps, run some laps around the yard, like, stuff like**
 20 **that.**
 21 Q. And what about -- did you go to the gym when
 22 you were at Menard?
 23 **A. The gym was closed for a long time at Menard.**
 24 **And then the part of the building where I was at, they**

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1 **just didn't even let that building get a gym. So at one**
 2 **point in time, it was closed, but when they did open**
 3 **it back up, certain buildings, they didn't let them go**
 4 **to -- they wasn't on the gym -- on the gym line, call**
 5 **line. It was just something that they had -- the jail**
 6 **had set up that way.**
 7 Q. So was there ever a period of time when you
 8 were at Menard where you could use the gym?
 9 **A. I think when I get close to leaving for,**
 10 **like -- I think they open it up after, like -- after --**
 11 **I think after COVID.**
 12 Q. Okay. And then would you go to the gym?
 13 **A. Yes, I'd go to the gym.**
 14 Q. And how often would you go to the gym?
 15 **A. I think I went to the gym once a week.**
 16 Q. And then could you go to the law library when
 17 you were at Menard?
 18 **A. Yes.**
 19 Q. And did you do that?
 20 **A. Yes.**
 21 Q. How often could you go to the library?
 22 **A. I think you could go to the law library I**
 23 **think once every two weeks.**
 24 Q. Okay. Did you have any jobs when you were at

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1 Menard?

2 **A. No.**

3 Q. Could you have worked if you wanted to?

4 **A. I wanted to. They didn't let me work.**

5 Q. Did you apply for any positions?

6 **A. You couldn't -- It didn't go like that. You**

7 **got to basically get approved first. So if you asked --**

8 **like, you got to put into, like, your counselor, and**

9 **then I guess -- I don't know, like, the whole procedure**

10 **or how it go, but you put into your counselor, put you**

11 **in for -- they might be, like, when you come in, your**

12 **aggression level automatically be already high. So**

13 **it's, like, go off aggression level.**

14 **So if your aggression level high, you can't**

15 **get a job. You got to get your aggression level down to**

16 **a certain where then you'd be able to get approved I**

17 **guess. And then if you do get it down, you still got to**

18 **go through whatever the protocol that they have.**

19 Q. Did you get your aggression level down?

20 **A. Yeah, my aggression level got down. That's**

21 **how I was able to transfer.**

22 Q. You requested the transfer to Hill

23 Correctional Facility?

24 **A. I transferred -- Yeah. I basically had put in**

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1 **can I be transferred. I didn't say to where. They**

2 **said, yeah.**

3 Q. Okay. Why did you want to be transferred out

4 from Menard?

5 **A. Couldn't do nothing at Menard. You stuck in**

6 **the cell 24 hours a day. So if you didn't have yard or**

7 **a gym on the schedule, on the call line, you know, you**

8 **in the cell.**

9 Q. Did you have the option when you were at

10 Menard to, like, go to school or take any classes?

11 **A. No.**

12 Q. Did your aggression level have to be low to be

13 able to do that?

14 **A. No, it was just set up different because you**

15 **have, like, just say, it was based off time. So by me**

16 **having a lot of time and just, say, if some other person**

17 **messed up in a smaller penitentiary, they send them down**

18 **there, so he go first because he got less time. So**

19 **he'll be working to get his time cut, like, you know**

20 **what I'm saying, use his days to get his days cut,**

21 **whatever like that, so they'll put him in first, then**

22 **put you at the bottom, so you try to get into GED class.**

23 **Every time you get somebody new come in with a lesser**

24 **time, they go right on over you, so it's like you gonna**

Page 364

1 **keep on getting pushed down. So that's why I never was**

2 **able to get in the GED class or none of that.**

3 Q. Did you try to get into a GED class?

4 **A. Many times.**

5 Q. Did you have to ask your counselor?

6 **A. Was on a waiting list. I was on a waiting**

7 **list.**

8 Q. You were on a waiting list.

9 Did you have to ask your counselor to get on

10 the waiting list to get into a GED class?

11 **A. Yeah, you write the counselor, ask them to**

12 **admit you into school, and they'll tell you -- they'll**

13 **send you back and tell you you're on the waiting list.**

14 Q. When you were at Menard, did you spend any

15 time in segregation?

16 **A. I spent a lot of time in segregation.**

17 Q. And when was segregation?

18 **A. You said what -- what is it? That's where you**

19 **go when you get, like, disciplinary, like, if you did**

20 **something.**

21 Q. So it's, like, a separate cell. Right?

22 **A. You go to a whole different part of the jail.**

23 Q. Okay. And then you were in a cell by yourself

24 when you were in segregation?

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1 **A. At one point in time, they had it where you**

2 **had a cell.**

3 Q. Okay.

4 **A. Then I think something transpired, whatever,**

5 **then they made the whole segregation one-man cell.**

6 Q. Okay. How many times were you in segregation

7 when you were at Menard?

8 **A. I don't know exactly how many times. It was**

9 **more than five.**

10 Q. More than five?

11 **A. Yeah.**

12 Q. Okay. You were placed in segregation for a

13 year for having a three-way call with an inmate that was

14 in Cook County Jail. Right?

15 **A. I was placed -- No, it was a call with**

16 **somebody outside -- out -- out -- I think out.**

17 Q. What do you mean "out?"

18 **A. They was out on the street. They wasn't in**

19 **Cook County.**

20 Q. Okay. Do you remember being disciplined for

21 having a three-way call?

22 **A. Yeah.**

23 Q. And you're saying the person that you had a

24 three-way call was out on the street?

Page 366

1 **A. Yeah.**

2 Q. Who was involved in the three-way call?

3 **A. I don't even remember who exactly I was**
 4 **talking to out on the three-way call, but -- I don't**
 5 **remember exactly who it was.**

6 Q. And you're in -- when you're in prison, you're
 7 not allowed to have calls with people that aren't on
 8 your approved call list. Right?

9 **A. I don't think that's necessarily true because**
 10 **people do three-ways all the time.**

11 Q. Okay. But you're not supposed to do
 12 three-ways. Right?

13 **A. At one point in time, they had a rule like**
 14 **that, yeah.**

15 Q. On that call where you got disciplined for,
 16 do you remember expressing that you were not happy
 17 about how things were being run on the streets and it
 18 wasn't like -- it wasn't like that when you were out
 19 there?

20 **A. That wasn't how -- The conversation wasn't**
 21 **like that, though, but that's how they wrote it up,**
 22 **though.**

23 Q. Okay. Do you remember being disciplined
 24 because you and your callers were discussing needing

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1 more pipes and paying closer attention to your
 2 surroundings so that you won't be targets of shootings?

3 **A. I probably did say that to them.**

4 Q. And you're saying that's how it was written
 5 up, but how did the conversation go?

6 **A. The conversation went because I was -- I**
 7 **think I was talking to Antonio White by mistake, I might**
 8 **be wrong, because that's who I really probably cared**
 9 **about the most that day anyway, so if I told him you**
 10 **have to pay attention to your surroundings, you got to**
 11 **get out of your head -- I think he was telling**
 12 **somebody's head was in his phone or shooting out there,**
 13 **his head in his phone, told him you need to be on your**
 14 **square, get -- get yourself -- protect yourself, too.**
 15 **Don't let nobody come shooting at you all. Protect**
 16 **yourself. Probably that's how the conversation went.**

17 Q. Do you remember why else you were sent to
 18 segregation when you were at Menard?

19 **A. Probably when Orange Crush came.**

20 Q. Orange Crush came?

21 **A. Yeah.**

22 Q. What's that?

23 **A. It was like a tag team, like, when the jail --**
 24 **when the jail on lockdown.**

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1 Q. Okay.

2 **A. The jail on lockdown, when they come through**
 3 **shakedown, stuff like that.**

4 Q. Do you remember being sent to segregation
 5 at Menard for disobeying orders of correctional
 6 officers?

7 **A. That's part -- That's part -- That's part of**
 8 **it right there, when they came. Disobeying a direct**
 9 **order.**

10 Q. Do you remember being sent to segregation
 11 because you were found to have, like, drug paraphernalia
 12 on you?

13 **A. Drug paraphernalia on me? Or was it inside**
 14 **the cell?**

15 Q. Or inside the cell.

16 **A. Yeah, I went to seg for that.**

17 Q. Sorry? You went to seg for that?

18 **A. Yeah, me and my cellie.**

19 Q. Okay. What happened with that? What did you
 20 have?

21 **A. I don't know. I think they found some -- I**
 22 **think they found a medication, the medication not taken**
 23 **or something. That's what it was, something like that.**
 24 **It wasn't no real drugs or nothing like that.**

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1 Q. And when you were in prison, you filed several
 2 grievances. Right?

3 **A. Uh-huh. Yes.**

4 Q. What -- Do you remember what any of the
 5 grievances were about?

6 **A. I don't remember what all the grievances I**
 7 **wrote about. I wrote a lot of grievances. I don't**
 8 **remember all of them.**

9 Q. Okay. Do you remember a situation at Menard
 10 when you were sent to segregation because you were found
 11 to have helped forge, like, a money voucher?

12 **A. To help forge a money voucher?**

13 Q. Yeah.

14 **A. To help forge a money voucher? No, I didn't.**

15 Q. It was --

16 **A. It was a whole situation about that, but it**
 17 **was somebody else did something bogus that didn't have**
 18 **me involved in it, but that person end up -- that**
 19 **happened, that person end up getting sent to protective**
 20 **custody because he put me in a situation.**

21 Q. Did you get into any physical fights with
 22 anyone when you were in prison at any prison facility?

23 **A. Probably my cellies.**

24 Q. Your cellies?

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1 **A. Yeah.**

2 Q. How many times did that occur?

3 **A. I think about three times.**

4 Q. And did you have to get any medical treatment?

5 **A. Huh-uh.**

6 Q. Is that a no?

7 **A. No.**

8 Q. What were you and your cellies fighting about?

9 **A. Just -- Just bumping heads and being a cellie**
 10 **sometimes in the cell, being in a cell too much with**
 11 **each other.**

12 Q. Did you have to get, like, any treatment when
 13 you were in prison, like, psychiatric treatment or
 14 counseling?

15 MR. RAUSCHER: Object to form.

16 BY THE WITNESS:

17 **A. I was on a mental health call line.**

18 Q. And what is that?

19 **A. Basically you see, like, a psychiatrist and**
 20 **stuff like that. You talk to them, they ask you certain**
 21 **things about your -- like, what you -- like, basically**
 22 **just about your mental health pretty much.**

23 Q. Were you ever diagnosed with any mental health
 24 condition?

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1 **A. No.**

2 Q. Okay. And since you've been released, you
 3 haven't been diagnosed with any mental health condition
 4 by a medical professional. Correct?

5 **A. I haven't seen any.**

6 Q. You haven't seen any.

7 Do you have any plans to?

8 **A. I do.**

9 Q. Do you have the name of someone that you're
 10 planning to see?

11 **A. No.**

12 Q. And you said that you were prescribed the
 13 sleep medication when you were at Menard?

14 **A. Uh-huh.**

15 Q. Because you complained about --

16 **A. Not being able to sleep.**

17 Q. -- not being able to sleep, yeah. Okay.

18 When you were released on May 10th, 2022, did
 19 someone come to get you from the prison?

20 **A. Yes.**

21 Q. Who?

22 **A. My mother and my grandmother.**

23 Q. Tell me about that day.

24 **A. Came and picked me up. I had I think -- I got**

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1 released from the judge -- when I went to court on the
 2 9th, I got released, but someone else had court -- his
 3 court date took a little bit longer, so we had to stay
 4 at the county for a little bit longer. We went back
 5 to -- We went back to -- We eventually went back to
 6 Pinkneyville.

7 The next morning I woke up -- I had washed up
 8 at, like, 4:00 in the morning, got all my stuff
 9 together, set it by the door. That was -- Officer came,
 10 did his count.

11 I was wondering why they was taking too long
 12 to come and get me, so it probably got, like, to, like,
 13 probably, like, 9:00 o'clock. I told one of the
 14 workers, like, hey, man, you ask the officer what's
 15 taking so long to open this door.

16 Then one of the -- one of the -- I think I end
 17 up asking, like, what they say, you might have to wait a
 18 couple of days. I think a white shirt said that, a
 19 lieutenant or something. I'm, like, I'm not finna stay
 20 in here, I'm not supposed to be here no more, so I think
 21 I had told them go get the officer again. He came and
 22 he told me, like, we going to be coming to get you at
 23 12:00 o'clock.

24 So he came and got me at 12:00 o'clock, packed

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1 me out, took the picture to be released, took me back in
 2 the cell, then they came back and said that 1:00 o'clock
 3 your mother will be here. They're going to be coming to
 4 pick you up at 1:00 o'clock. I guess that was after
 5 everybody got done doing all their lunch or whatever.

6 I got released, came out, see my mother and
 7 my grandma, shed some tears, got in the car, was happy.
 8 Just got a few calls I think from a couple of lady
 9 friends. I guess my mama had told me that she was
 10 waiting on me to come out and stuff like that. That was
 11 pretty much it. And went home and --

12 Q. You went straight home from being picked up at
 13 Pinkneyville?

14 **A. I think we stopped at the gas station and got**
 15 **me some, like, snacks and stuff like that.**

16 Q. Was there something in particular that you
 17 wanted to eat?

18 **A. I got me my regular -- my regular favorite, my**
 19 **Pepsi and my Snickers.**

20 Q. Oh, your Pepsi. Okay.

21 **A. I still eat right now -- today.**

22 Q. Were you able to get Pepsi and Snickers when
 23 you were in prison?

24 **A. They never really too much had Pepsis. They**

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1 had Snickers, though. They didn't really have Pepsi
 2 like that. They have, like, generic type, like, a lot
 3 of generic type, like, pops.
 4 Q. And then you went home.
 5 Was there, like, any -- Was there any sort of,
 6 like, party or celebration at home?
 7 A. No, it wasn't -- I surprised my daughter.
 8 Q. Okay.
 9 A. I surprised my daughter. Then I surprised --
 10 I surprised my son, Allen. I was trying to surprise
 11 Amarion, but he stayed out in Yorkville and his mother
 12 was, like, being so anxious to let him see me. I wanted
 13 to go -- like, go out there and surprise him or bring
 14 him out to me, but she was so anxious for him to see me,
 15 so she ruined that, so it was, like, on FaceTime.
 16 So that was pretty much it. And then that was
 17 really a chill day. I couldn't really -- I don't
 18 think -- when I tried to eat, like, I couldn't really
 19 eat, like -- I got full real fast. I think I took a
 20 bite of, like, some chicken, some chicken, it was -- it
 21 was -- I don't know if it, like -- I guess from the
 22 processed food to eating the different type of food, it
 23 just -- it made me full real fast. Or just me being
 24 anxious and excited, so I don't really know. That was,

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1 like -- that was, like, the main -- just the day.
 2 Q. How -- How often do you see your children now?
 3 A. Few -- My daughter, she in college. Al, I see
 4 him all the time because he -- he literally, like, the
 5 next block over from. And he be at his uncle house all
 6 the time. That's where he, like, go to school from.
 7 Sometimes if I'm able to drop him off, I'll drop him
 8 off. So I see him a lot.
 9 Amarion, I see him through FaceTime a lot, but
 10 when -- he'll come over to the house, too, all the time,
 11 too, so I'll see him.
 12 Q. And what about Amir?
 13 A. Amir, that's my boy. He be with me all the
 14 time.
 15 Q. Okay. Do you live with Amir?
 16 A. No, I don't.
 17 Q. And do you see Alanae when she comes home,
 18 like, from college on holidays?
 19 A. I just seen her a couple days ago.
 20 Q. Okay.
 21 A. Before she just went back to school.
 22 Q. Okay. When you said you asked for a transfer
 23 from Menard and then you were transferred to Hill.
 24 Right?

Page 376

1 A. Uh-huh.
 2 Q. Is that a yes?
 3 A. Yes.
 4 Q. And you were I think in Hill for a few months?
 5 A. Yeah, I think I was. Probably, like, a month
 6 or something maybe.
 7 Q. About four months?
 8 A. I was in the hole -- because I was in a
 9 population for, like, a month and then I was in the hole
 10 probably, like, three months before they shipped me
 11 to --
 12 Q. When you say "the hole," are you referring to
 13 segregation?
 14 A. Segregation, yeah.
 15 Q. Why were you sent to segregation when you were
 16 at Hill?
 17 A. They said that I was a part of danger --
 18 disturbing -- basically they say that I took too long --
 19 when they told us to lock up, I took too long to go in
 20 the cell.
 21 Q. When you were at Hill, was there a dayroom
 22 there?
 23 A. There's a dayroom.
 24 Q. Was there some, like, free movement when

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1 you're allowed to go from your cell to the dayroom?
 2 A. Yeah.
 3 Q. And then you were at Pinkneyville for about
 4 two months?
 5 A. I think 30 days.
 6 Q. 30 days.
 7 When you were in Pinkneyville, was there a
 8 dayroom there?
 9 A. Pinkneyville was in the hole, so ...
 10 Q. You were in the hole in Pinkneyville?
 11 A. Yeah, I was in segregation, yeah.
 12 Q. Why were you in --
 13 A. They transferred me from Hill to -- from Hill
 14 on segregation to Pinkneyville segregation.
 15 Q. Oh, okay.
 16 So the entire time you were in Pinkneyville,
 17 you were in segregation?
 18 A. Yeah.
 19 Q. And that was the segregation relating to not
 20 moving --
 21 A. Yeah.
 22 Q. -- quick enough?
 23 MS. ITCHHAPORIA: All right. If we could just take
 24 a quick break.

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1 THE VIDEOGRAPHER: We are now off the record at
 2 4:41 p.m.
 3 (A short break was had.)
 4 THE VIDEOGRAPHER: We are back on the record at
 5 4:52 p.m.
 6 BY MS. ITCHHAPORIA:
 7 Q. Earlier we talked about your employment at
 8 Home Depot. Correct?
 9 **A. Yes.**
 10 Q. How much do you make an hour?
 11 **A. 23.50.**
 12 Q. Did you file your taxes?
 13 **A. Did I file my taxes? No.**
 14 Q. Did you file taxes, like, last year?
 15 **A. I think I did file taxes.**
 16 Q. And then how about Chilled Solutions, how much
 17 were you making there?
 18 **A. Chilled Solutions, I was making, like, 19.**
 19 Q. \$18 an hour?
 20 **A. 19 -- Like \$19 an hour.**
 21 MS. ITCHHAPORIA: Do you mind if I steal your pen?
 22 THE COURT REPORTER: Oh, go ahead.
 23 MS. ITCHHAPORIA: Sorry.
 24

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1 BY MS. ITCHHAPORIA:
 2 Q. Do you currently pay any child support?
 3 **A. No.**
 4 Q. So since you got out, I know you're working,
 5 but can you describe for us what your daily --
 6 day-to-day looks like?
 7 MR. RAUSCHER: Object to form.
 8 BY THE WITNESS:
 9 **A. Day-to-day ... Really don't do too much**
 10 **really. Just be chilling really. Got nothing**
 11 **spectacular going on.**
 12 Q. Okay. Do you still go back out to the areas
 13 where you used to hang out on Walton and Iowa?
 14 **A. I haven't really -- I haven't even stood over**
 15 **there at all since I been out. I probably rolled**
 16 **through, but not necessarily, like, hang over there.**
 17 Q. What do you like to do in your free time when
 18 you're not working?
 19 **A. I probably go to the park, be with my dog. I**
 20 **got a dog. A real dog.**
 21 Q. Okay.
 22 **A. Go to the park with my dog. Just chill**
 23 **with -- Just enjoy. Nothing too major, though. I ain't**
 24 **really doing too much.**

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1 Q. Do you still work out?
 2 **A. I be working out periodically -- I work out**
 3 **periodic. I ain't been, like, I was at first, though.**
 4 **I ain't really been focused on it like I used to.**
 5 Q. Well, when you first got out, you were focused
 6 on it?
 7 **A. When I got out, I was -- because I still had**
 8 **that, like -- because that's something, like, I was**
 9 **doing, like, all the time, working out in the cell and**
 10 **stuff like that, so I still had that -- like, that**
 11 **momentum to do it, but something -- just the walk of**
 12 **life just sometimes drain you out where you ain't got**
 13 **the energy to do it.**
 14 Q. And then you take your GED classes?
 15 **A. Yeah, I got to take my last -- my last test.**
 16 Q. Okay. So what you said, when you were in
 17 prison, you would work out almost every day in your
 18 cell?
 19 **A. Uh-huh.**
 20 Q. Is that a yes?
 21 **A. Yes.**
 22 Q. Like, what would you do, like, push-ups?
 23 **A. Push-ups. Put, like, a whole bunch of, like,**
 24 **magazines and books and stuff inside a -- like, a**

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1 **laundry bag, laundry bag and do curls with it. Might**
 2 **put some -- I might put it inside the property box --**
 3 **put a lot of stuff in the property box to make it heavy**
 4 **and -- it was a lot of ways that we used to do -- wrap**
 5 **up magazines and do curls. It was a lot of stuff that**
 6 **we made up to work out in the cell.**
 7 Q. When you were in prison, would you -- would
 8 you read, like, books, magazines?
 9 **A. Yeah, I read books. I read books, magazines.**
 10 Q. What kind of books would you like to read?
 11 **A. At one point, I was -- I like to read --**
 12 **like, at first, I used to like to read the urban stuff**
 13 **like --**
 14 Q. Sorry?
 15 **A. The urban -- The urban novels. Then I started**
 16 **reading, like, got into more, like, reading, like, real**
 17 **estate books. I -- I forgot this author name. I used**
 18 **to read a lot of his books. It's like -- I forgot his**
 19 **name, but I used to read a lot of his books. And that**
 20 **was, like -- that was mainly the books I read.**
 21 Q. Do you like to read now currently?
 22 **A. I got a book right now I'm reading, it's,**
 23 **like, breaking bad habits.**
 24 Q. Like fiction or nonfiction?

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1 **A. It's real -- Like, breaking bad habits,**
 2 **like -- like, a guidebook, a life guidebook.**
 3 Q. Have you traveled since you got out?
 4 **A. Yes, I traveled.**
 5 Q. Where have you gone?
 6 **A. I went to California. That's where Precious,**
 7 **my sister Precious stay out there. Precious. I went to**
 8 **Vegas with my other sister. Aisha stay out there. I**
 9 **went to -- I went to Atlanta. One of my cousins stay**
 10 **out there. I went to Houston. Somebody I knew stay out**
 11 **there, too. And I went to Phoenix.**
 12 Q. Did you have any loved ones or family
 13 members that you cared about that died while you were in
 14 prison?
 15 **A. Yes.**
 16 Q. Who?
 17 **A. My grandmother Hattie.**
 18 Q. She died while you were in prison?
 19 **A. Yeah.**
 20 Q. I thought you lived with her when you got out
 21 in 2022?
 22 **A. No, lived with my Grandma Dorothy. That's my**
 23 **mother's mother. See, Hattie is my father's mother.**
 24 Q. Okay. When did Hattie pass away?

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1 **A. Hattie passed away in 20, I think, 17.**
 2 Q. Would you speak to Hattie -- Would you call
 3 Hattie when you were in prison?
 4 **A. Uh-huh.**
 5 Q. Is that yes?
 6 **A. Yes.**
 7 Q. How frequently would you call her?
 8 **A. I called her just to check in because she**
 9 **couldn't really talk because she had, like, a stroke.**
 10 **So it was, like -- She could talk, but it was, like, you**
 11 **couldn't really, like -- it was hard for her to try to**
 12 **say a lot of things, so you really would just call, say,**
 13 **I love you, just to check in and stuff like that.**
 14 Q. How -- How did you find out that she had
 15 passed?
 16 **A. I think I had called. I think I called and**
 17 **they told me that she was sick.**
 18 Q. Like, a family member told you?
 19 **A. Yeah, when I called. They said she was sick.**
 20 **And then they said, like, she was saying, like, she**
 21 **didn't want to be on whatever stuff they was having her**
 22 **on, the little support stuff, I guess, she -- I think I**
 23 **knew the kidneys was failing -- something was failing or**
 24 **something and she -- like, she didn't want to go through**

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1 **it no more, so she just passed away.**
 2 Q. Anyone else that passed while you were in
 3 prison?
 4 **A. My friend Antonio.**
 5 Q. That's Tone?
 6 **A. Yeah, Tone.**
 7 Q. Do you know how he passed?
 8 **A. He got killed.**
 9 Q. Anyone else?
 10 **A. I know a lot of other people that passed, but,**
 11 **like, that was real emotional, like, the ones that was**
 12 **like the closest to me.**
 13 Q. Okay. Are you currently in touch with your
 14 dad?
 15 **A. Yeah.**
 16 Q. Do you see him on a regular basis?
 17 **A. I don't see him on a regular basis.**
 18 Q. Do you talk to him on the phone?
 19 **A. Yeah, periodically.**
 20 Q. Okay. I show you what we'll mark as Exhibit 7
 21 to your deposition.
 22 (Robinson Deposition Exhibit No. 7
 23 marked as requested.)
 24

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1 BY MS. ITCHHAPORIA:
 2 Q. Mr. Robinson, the court reporter has handed
 3 to you what we've marked as Exhibit 7 to your deposition
 4 which is Bates marked Robinson 001201 through 001204.
 5 And this is Exhibit E to your petition. I'm looking at
 6 the second page of this document.
 7 Do you recognize what this is?
 8 **A. Yeah. Yes.**
 9 Q. And what is it?
 10 **A. It's a letter from Lamarius.**
 11 Q. Okay. And at the top of the letter, it says
 12 Baby Al. Right?
 13 **A. Yeah.**
 14 Q. And then on the second page of the letter, it
 15 says Love Mardi?
 16 **A. Mardi.**
 17 Q. Mardi?
 18 **A. Mardi.**
 19 Q. And Mardi is the nickname for Lamarius
 20 Robinson?
 21 **A. Yeah.**
 22 Q. And then if you look at the third page of the
 23 exhibit, it says page 1204, looks to be like a copy of
 24 an envelope.

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1 Do you see that?

2 **A. Yes.**

3 Q. And it's addressed to you and it's got a PO

4 box address?

5 **A. Yes.**

6 Q. Okay. Then it's got Lamarius's address on the

7 left-hand side. Right?

8 **A. Yes.**

9 Q. And Lamarius wrote numerous letters to you

10 while you were in prison. Correct?

11 **A. He wrote -- When I was in prison, like, or the**

12 **county?**

13 Q. Well, let's start with prison.

14 **A. Prison, yeah, he wrote me a few letters while**

15 **I was in prison.**

16 Q. Okay. And in county, you told us he visited

17 you, like, multiple times. Right?

18 **A. Yes.**

19 Q. And then he also wrote you multiple letters

20 when he was in prison -- when you were in county?

21 **A. He never wrote me -- He only wrote me this one**

22 **letter right here.**

23 Q. This is the only letter he wrote you when you

24 were in Cook County Jail?

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1 **A. Yeah.**

2 Q. And the date of the letter is January 21st,

3 2010?

4 **A. Yeah.**

5 Q. Is that right?

6 **A. January 21st, 2010, yeah.**

7 Q. And do you recognize the handwriting in the

8 letter?

9 **A. From when I seen it, yeah, I remember, yeah, I**

10 **recognize it.**

11 Q. Whose handwriting was it?

12 **A. Lamarius.**

13 Q. Did you -- Is your handwriting on any portions

14 of the letter?

15 **A. My handwriting? No.**

16 Q. Did you hand write this letter?

17 **A. No.**

18 Q. What about the envelope, is there any of your

19 handwriting on the envelope?

20 **A. No.**

21 Q. Is this the letter that you gave to your

22 attorney, Mr. Charles Piet?

23 **A. Yes.**

24 Q. This is the letter that we've looked at that

Page 388

1 was referred to in your affidavit that we looked at that

2 was marked as Exhibit 6?

3 **A. You said -- Say that again.**

4 Q. This is in your Exhibit 6 that we looked at,

5 your affidavit.

6 This is the letter that's being referenced in

7 paragraph 3?

8 **A. Okay.**

9 Q. Is that right?

10 **A. Yes. Yeah.**

11 (Brief interruption.)

12 MS. ITCHHAPORIA: Sorry.

13 (Brief pause.)

14 BY MS. ITCHHAPORIA:

15 Q. Had -- When you received this letter from

16 Lamarius when you were in Cook County Jail, had he come

17 to visit you?

18 **A. I think he probably did visit me.**

19 Q. Wouldn't Lamarius also send letters to your

20 mom to give to you?

21 **A. That's when I was -- That's when he was**

22 **incarcerated.**

23 Q. Yeah.

24 **A. He was incarcerated --**

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1 Q. Okay.

2 **A. -- and he would write to my mother house.**

3 Q. And would he write to you when he was

4 incarcerated -- that was when you were in Cook County

5 Jail?

6 **A. No, I was in -- I was in Menard I think**

7 **already.**

8 Q. Okay. Is this the letter in which you're

9 claiming that Lamarius admitted to you that he was the

10 one that was responsible for the shooting?

11 **A. Yes.**

12 Q. Okay. In the letter, it says -- do you see

13 where it says, I told them -- it's, like, the third

14 line. I told them that they already was saying what

15 happen, bro. They wasn't on shit at first because I

16 wasn't telling them shit. Bro, on Dave, they was going

17 with what I told them. I was telling them that I was

18 fucked up around that time because remember I got cut on

19 the arm. They was going with it. They even seen my

20 hospital records, so they was believing me. Then it

21 change. It seem like somebody had start telling them

22 some parts of what happen.

23 Do you see that?

24 **A. Yes.**

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1 Q. Up to that point?

2 **A. Yes.**

3 Q. Okay. So Lamarius was talking about what
4 happened when he was in police custody?

5 **A. Yes.**

6 Q. And that the police were initialing --
7 initially believing him?

8 **A. Yeah.**

9 Q. And then someone started telling them some
10 parts of -- of what happen, like, what really blow my
11 mind was when I -- when I was in there when they said
12 somebody was telling me to get right, got right. I'm,
13 like, what. That's why I wrote that on that mirror
14 G-code, bro, because I thought you was talking. Then
15 they brought up the stunt on Laramie with dude.

16 Okay. Do you see that?

17 **A. Yeah.**

18 Q. All right. What does -- What does he mean
19 that he -- that when someone said get right, get right?

20 **A. I don't -- I guess he's talking about when
21 somebody was telling him get right, get right. Not me
22 telling him get right.**

23 Q. Okay. Is that a phrase that you used a lot?

24 **A. That's not a phrase I used a lot.**

Page 391

1 Q. And do you know what he means when he wrote on
2 the mirror G-code?

3 **A. I'm assuming he's saying he wrote G-code on
4 the mirror.**

5 Q. Did you see that when you were in the police
6 station?

7 **A. Can't even see nothing like that on mirrors.
8 I guess the mirrors be all scratched up and all type of
9 stuff. You can't see no G-code on the mirror.**

10 Q. What does G-code mean?

11 **A. I guess G-code is stick to the code.**

12 Q. Stick to the code?

13 **A. Yeah.**

14 Q. And he says, I thought you was talking, then
15 they brought up that stunt on Laramie with dude.

16 So he -- Lamarius is saying in this letter
17 that he thought that you started telling the police
18 things about Lamarius. Right?

19 **A. Exactly.**

20 Q. And you were telling the police things about
21 Lamarius, weren't you?

22 **A. I don't recall.**

23 Q. Okay. Did you tell the police about the stunt
24 on Laramie with dude?

Page 392

1 **A. Did I tell them about the stunt on Laramie
2 with dude?**

3 Q. Yes.

4 **A. I didn't tell them about no stunt on Laramie.**

5 Q. Do you know what this means, this stunt on
6 Laramie with dude?

7 **A. Yeah, he talking about with Dre, with Guyton,
8 when Guyton was walking up Laramie.**

9 Q. Okay. When Lamarius supposedly stuck a gun in
10 his face?

11 **A. Yeah.**

12 Q. Okay. Did you tell the police that Lamarius
13 had tried to shoot Guyton earlier in the day of the
14 Hanford murder?

15 **A. No.**

16 Q. He said, I really started getting salted, but
17 I still didn't say anything. Then the last time they
18 came in, they told me, like, you being charged with a
19 first degree and we going to be letting your cousin go.
20 I was, like, how you ain't shit on me. And then I sat
21 in there thinking for, like, two hours or something and
22 was just, like, fuck it, he trying to put all the blame
23 on me, so I called they dude back and was, like, told
24 them what happen.

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1 You see that?

2 **A. Yeah.**

3 Q. So did you start telling the police other
4 things that Lamarius had supposedly done on the
5 streets?

6 **A. No.**

7 Q. If you look at the next page, there's the
8 second sentence there. It says, I would take my weight
9 to free you. What I'm saying is I did it, you wasn't
10 even there, I could do the time 'cause it's minds
11 anyway.

12 Do you see that?

13 **A. Yes.**

14 Q. Okay. Is that what you're saying Lamarius
15 admits that he was the one that did it?

16 **A. Yeah.**

17 Q. When he says, I did it, is that -- you
18 interpret that to mean that he's saying that he was
19 responsible for shooting 13?

20 **A. Yes.**

21 Q. Okay. And then kind of, like, the second
22 paragraph there, he says, I love you, BA, and I never,
23 ever wanted this shit this way. I licked the page at
24 the bottom so my DNA could be on here even if you have

Page 394

1 to use this.

2 And then there's a circle at the bottom of the
3 page where -- and it says right here, and there's an
4 arrow pointing there.

5 Do you see that?

6 **A. Yes.**

7 Q. Okay. And then this is the letter that you
8 asked your attorney -- that you gave to your attorney
9 and you wanted your attorney to use in your defense.
10 Right?

11 **A. Yes.**

12 Q. Did you tell your attorney to get this part
13 of the letter that Mardi supposedly licked tested for
14 DNA?

15 **A. I thought he was going to do it.**

16 Q. Sorry?

17 **A. I thought that's what he was going to do.**

18 Q. Did you find out if he did or didn't?

19 **A. I knew he -- I --**

20 MR. RAUSCHER: Object to form.

21 BY THE WITNESS:

22 **A. Did I -- I didn't know if he did it or not.**

23 Q. Okay. Did you find out during your
24 post-conviction proceedings that this portion of the

Page 396

1 unsuitable for comparison. Right?

2 **A. I guess, yeah.**

3 Q. So they weren't able to say that Mardi, in
4 fact, licked this envelope -- I mean, not the envelope,
5 this portion of the letter?

6 **A. Yeah.**

7 Q. But Mardi's DNA was on the envelope.

8 Do you remember learning that?

9 **A. Yeah.**

10 Q. If Lamarius licked this portion of the letter
11 like he's claiming in the letter, do you have an
12 explanation for why his DNA didn't show up?

13 **A. I'm not a DNA expert. I don't know why -- I
14 don't know -- I don't understand this DNA and how it
15 worked. I don't know why it didn't.**

16 Q. Okay. Did you ever ask Lamarius?

17 **A. I ain't never asked him.**

18 Q. Okay. When -- Lamarius was asked about this
19 letter at your trial. Right?

20 **A. Yeah.**

21 Q. He did take the stand outside of the presence
22 of the jury. Correct?

23 **A. Correct.**

24 Q. And when he took the stand, he testified that

Page 395

1 letter was, in fact, sent for DNA testing?

2 **A. You said during my post-conviction?**

3 Q. Yes.

4 MR. RAUSCHER: Object to form.

5 BY THE WITNESS:

6 **A. Could you -- Could you say the question one
7 more time?**

8 Q. Sure.

9 Around, like, the -- let's say around the
10 2014 onwards time frame, did you come to learn that
11 this had been -- this letter -- this portion of the
12 letter had been sent for DNA testing?

13 **A. Yes.**

14 Q. Okay. And did you come to learn what the
15 results of the DNA testing was?

16 **A. I think -- Yes.**

17 Q. And what's your understanding of what the
18 testing results were?

19 **A. That they couldn't -- it was some mixture
20 or -- I don't know. I really didn't know, like, the
21 term, but they was saying they couldn't really tell or
22 something.**

23 Q. Okay. It was -- The DNA profile on this
24 portion of the letter was a DNA mixture and it was

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1 he was not in the area of Lawler and Iowa at 9:00 p.m.
2 on December 3rd, 2008. Correct?

3 **A. I think he probably did say that.**

4 Q. When he said he was not in the area at the
5 time of the Christopher Hanford homicide, was that
6 surprising to you?

7 **A. Yeah, it was surprising.**

8 Q. Were you expecting him to get up and testify
9 that he was responsible?

10 **A. Yeah.**

11 Q. You were?

12 **A. Yeah.**

13 Q. How -- Why did you think he was going to say
14 that?

15 **A. From his letter.**

16 Q. Just from this letter?

17 **A. From his letter.**

18 Q. Okay. From any of the times when he had met
19 with you at Cook County Jail, did he say that he was
20 going to testify in your favor at your trial and say
21 that he was involved?

22 **A. I think from when I got the letter, I really
23 ain't too much acquired, like, I'm just assuming that
24 when he wrote -- when he got the letter, I'm thinking,**

Page 398

1 like, that's where his mindset was at.

2 Q. You said before you got the letter, though, he
3 would come and visit you and he would say he was sorry.
4 Right?

5 A. Yeah.

6 Q. Did you ask him at that point can you write
7 this down in an affidavit?

8 A. I never did.

9 Q. Why didn't you ask him to do that?

10 A. I really -- Honestly, I was just looking at
11 the case. I was, like, the case really a bogus case. I
12 might be -- might be able to beat it and clear it all
13 up. That's what I was -- That's how I was looking at
14 it. We'll just -- That's how I looked at it. I might
15 beat it.

16 Q. Did -- Did you ask him to testify in your
17 case?

18 A. I never asked him to testify in my case.

19 Q. Okay. But did Mr. Piet tell you that he was
20 going to call Lamarius?

21 A. He said he had a meeting with him. He talked
22 to him.

23 Q. When Lamarius took the stand, though, at your
24 trial, he was asked if he had told the police that he

Page 400

1 testify about his interview with the police?

2 A. I didn't know what he was going to say
3 honestly.

4 Q. Okay. Were you angry when -- that he -- that
5 he said that he wasn't there at the scene of the
6 shooting?

7 A. I was angry because he didn't say that he was
8 the one -- that he was the one that did it. I was angry
9 about that.

10 Q. And did you ever confront him to say why
11 didn't you testify that you did it?

12 A. I haven't talked to him. I haven't talked to
13 him since.

14 Q. Okay.

15 A. Since.

16 Q. He did -- He was also asked by your attorney
17 at -- at your trial if he wrote this letter.

18 A. Yeah.

19 Q. Right?

20 A. Yeah.

21 Q. And do you remember Lamarius saying that he
22 did not write it?

23 A. Yeah, I remember that.

24 Q. Have you ever asked Lamarius or confronted him

Page 399

1 had seen the shooting of someone by the name of 13 on
2 December 3rd, 2008, and he said no. Right?

3 A. I guess that's what he said.

4 Q. He said he didn't witness the shooting?

5 A. I don't -- Yeah, I don't remember.

6 Q. Sorry?

7 A. I don't remember what his answer was at that
8 time.

9 Q. Okay. But if he said no, is it your testimony
10 today that he was lying?

11 A. Yeah, he was lying.

12 Q. And then when Lamarius was asked if -- you
13 know, what he told the police about the shooting, he
14 asserted his Fifth Amendment rights. Correct?

15 A. I think he did, yeah. That's all I remember
16 him doing. Honestly I don't even remember the
17 conversation that was being -- the question that was
18 being asked. I just remember him saying he plead the
19 Fifth.

20 Q. Okay. And do you remember that he refused to
21 ask -- answer any other questions about his interview
22 with the police based on his Fifth Amendment rights?

23 A. I think, yeah.

24 Q. Were you expecting that he was going to

Page 401

1 about, you know, why did you say you didn't write this
2 letter?

3 A. Haven't talked to him.

4 Q. Have you ever asked any family members or
5 friends of yours or Lamarius about whether or not
6 Lamarius wrote this?

7 A. No.

8 Q. And then Lamarius said he didn't write the
9 letter, but he said he probably did write the envelope.

10 Do you remember him saying that?

11 A. Yes.

12 Q. Okay. And that actually panned out with the
13 DNA testings, right, that it was his DNA on the
14 envelope?

15 MR. RAUSCHER: Object to form. I think that
16 misstates the evidence.

17 BY THE WITNESS:

18 A. Can you say that again?

19 Q. Sure.

20 At your trial, Lamarius testified that he
21 probably did write the envelope that we're looking at in
22 this exhibit. Right?

23 A. Yes.

24 Q. Okay. And then the DNA testing of the

Page 402

1 envelope showed that it was a match for Lamarius's DNA
 2 profile. Correct?
 3 **A. That's what it says.**
 4 Q. Okay. And then Lamarius testified when he
 5 took the stand at your trial that no threats or promises
 6 were made to him regarding testifying in the case.
 7 Do you remember that?
 8 **A. Yeah.**
 9 Q. Okay. And then Lamarius was excused from
 10 testifying any further by the Court.
 11 Do you recall that?
 12 **A. Yes.**
 13 Q. He didn't have to testify in front of the
 14 jury. Right?
 15 **A. Yes.**
 16 Q. Do you know if, like, your mom or any family
 17 members on your behalf ever confronted Lamarius with
 18 this letter?
 19 **A. I -- I don't think so.**
 20 Q. Okay. Lamarius also wrote you a letter
 21 December 7th, 2010. Correct?
 22 **A. December 7th, 2010.**
 23 Q. 2010, yeah.
 24 **A. I don't remember.**

Page 403

1 Q. Okay. Do you remember Lamarius sending your
 2 mom a letter for you on your -- to send to you in
 3 December of 2010?
 4 **A. I don't remember.**
 5 Q. Okay. So this wasn't the only letter that
 6 Lamarius wrote to you when you were at Cook County Jail.
 7 Right?
 8 **A. I don't remember. I only -- I only remember**
 9 **this letter.**
 10 Q. Okay.
 11 MS. ITCHHAPORIA: Counsel, I have some letters,
 12 but I haven't printed them out. But I can show him on
 13 my laptop or I can just take a break and print them out.
 14 MR. RAUSCHER: Depends what you're going to ask
 15 him. You can try the laptop if you want just to keep it
 16 moving.
 17 BY MS. ITCHHAPORIA:
 18 Q. Okay. I'm going to show you what we'll mark
 19 as Exhibit 8 to your deposition which is Bates marked
 20 Blegen SDT RESP 001192 to 1193. Let me show you that.
 21 I can bring it closer.
 22 (Robinson Deposition Exhibit No. 8
 23 marked as requested.)
 24 THE VIDEOGRAPHER: You're covering the mic, Allen.

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1 **THE WITNESS: Oh, I'm sorry.**
 2 (Witness viewing document.)
 3 BY MS. ITCHHAPORIA:
 4 Q. Let me know when you want me to scroll.
 5 MR. RAUSCHER: If you need it printed, she can
 6 print it.
 7 BY MS. ITCHHAPORIA:
 8 Q. Need me to scroll down?
 9 **A. Yeah.**
 10 MR. RAUSCHER: Do you want him just to scroll?
 11 MS. ITCHHAPORIA: Yeah, you can scroll. Let me
 12 just give you my mouse.
 13 (Witness viewing document.)
 14 BY THE WITNESS:
 15 **A. I remember this letter.**
 16 Q. You remember this?
 17 **A. Yeah. That's when he got locked up.**
 18 Q. Who wrote this letter to you?
 19 **A. Lamarius.**
 20 Q. This is Lamarius's handwriting?
 21 **A. I remember the letter. I don't -- that he**
 22 **wrote me. That's all I know. It came from him.**
 23 Q. Okay. Do you recognize the handwriting?
 24 **A. I recognize the letter and the handwriting,**

Page 405

1 **yeah.**
 2 Q. And whose handwriting do you think it is?
 3 **A. Lamarius.**
 4 Q. Okay. And this has a date at the top of
 5 December 7th, 2010. Right?
 6 **A. Yeah.**
 7 Q. And then also 7/2010 right here?
 8 **A. Uh-huh.**
 9 Q. On the right-hand side of the letter?
 10 Okay. Do you see that?
 11 **A. Yeah.**
 12 Q. Okay. So this is another letter you got from
 13 Lamarius when you were at Cook County Jail?
 14 **A. Uh-huh.**
 15 Q. Is that a yes?
 16 **A. Yes.**
 17 Q. And then I'm going to show you what we'll mark
 18 as Blegen SDT Respons 1198.
 19 MR. RAUSCHER: This is Exhibit 9?
 20 MS. ITCHHAPORIA: Yeah, Exhibit 9. Thank you.
 21 (Robinson Deposition Exhibit No. 9
 22 marked as requested.)
 23 BY MS. ITCHHAPORIA:
 24 Q. Do you recognize the handwriting on the

Page 406

1 envelope?

2 **A. Yeah.**

3 Q. And whose handwriting is that?

4 **A. Lamarius.**

5 Q. Where it says Lamarius's name and the PO box,

6 that's Lamarius's handwriting?

7 **A. Uh-huh.**

8 Q. Is that a yes?

9 **A. Yes.**

10 Q. And then where it's to your mom, LaTanya, is

11 that Lamarius's handwriting?

12 **A. Yes.**

13 Q. Yes? Yeah, okay.

14 And then it says, send off, and then it says,

15 to Baby Al, and it's got a date here of 12 --

16 **A. That's my mother handwriting. That's my**

17 **mother handwriting right there.**

18 Q. Oh, okay.

19 So your mom wrote this kind of cursive

20 handwriting?

21 **A. Yes.**

22 Q. Okay.

23 **A. That's how I know how she write. That's her**

24 **handwriting right there. I know my mom handwriting**

Page 407

1 **from anywhere. That's my mother. She was just saying**

2 **that she got mail. She's saying the day that she -- she**

3 **received it, I guess, it got mailed this day, and then**

4 **she's saying what day she sent it off to me.**

5 Q. Got it. Okay.

6 So it looks like she received it on

7 December 10th, 2010, and then she sends it to you

8 December 12, 2010?

9 **A. Uh-huh.**

10 Q. Is that correct?

11 **A. That's what I -- That's what it looked as.**

12 Q. Okay. And was the letter that we just looked

13 at before, Exhibit 8, was that in this envelope?

14 MR. RAUSCHER: Object to foundation.

15 BY THE WITNESS:

16 **A. I don't -- I don't know if that was in there,**

17 **the letter was in there or not. This the -- I know it**

18 **was the letter that I got. I don't know if that was the**

19 **letter in there or not. I don't know.**

20 Q. Okay.

21 **A. I don't know what she received. It went to**

22 **her.**

23 Q. Do you recall receiving this letter when you

24 were in Cook County Jail, this envelope?

Page 408

1 **A. I just read it. I remember -- I don't**

2 **remember -- I don't remember -- I don't remember -- I**

3 **don't know if that letter that you just seen, I don't**

4 **know. I ain't received the letter. It went to her.**

5 Q. The letter that I showed you in Exhibit 8, do

6 you remember receiving that when you were at Cook County

7 Jail?

8 **A. Yeah, I did.**

9 Q. Okay. So this wasn't -- what we looked at

10 before in Exhibit 7, that wasn't the only letter that

11 Lamarius wrote to you. Right?

12 **A. No.**

13 Q. Okay. Let me show you another envelope and

14 this has got a letter attached to it. And this is Bates

15 marked Blegen 1183 through 1185, and we'll mark this as

16 Exhibit 10 to your deposition.

17 (Robinson Deposition Exhibit No. 10

18 marked as requested.)

19 BY MS. ITCHHAPORIA:

20 Q. Looking at the first page is the envelope of

21 Exhibit 10.

22 Do you recognize the handwriting on the

23 envelope?

24 **A. I guess it's her handwriting. I don't --**

Page 409

1 Q. But you do recognize it or you don't?

2 **A. I really don't.**

3 Q. Okay. This is again another -- Exhibit 10,

4 the first page we're looking at, it appears to be from

5 Lamarius to your mom, LaTanya Fleming. Right?

6 **A. Yeah.**

7 Q. And then is any of the handwriting on here

8 your mom's handwriting?

9 **A. My mother handwriting.**

10 Q. Okay. On the left side?

11 **A. Yeah, on the left-hand side. And right there**

12 **on the right-hand side.**

13 Q. Okay. And it looks like it was maybe sent to

14 you on 3 -- March 2nd, 2011?

15 **A. Looks like it. I don't really know.**

16 Q. But it says here sent to Baby Al. Right?

17 **A. Yeah.**

18 Q. On the bottom here?

19 **A. Yeah.**

20 Q. Whose handwriting is that?

21 **A. That's his handwriting. That's Lamarius's**

22 **handwriting.**

23 Q. And this is scanned -- I think your mom might

24 have written here that she received it February 24th,

Page 410

1 2011, right here, there's a date?

2 **A. Yeah.**

3 Q. Okay. Do you remember receiving this envelope
4 when you were at Cook County Jail?

5 **A. I don't -- I don't remember.**

6 Q. Okay.

7 **A. I couldn't -- I was prob -- I don't know if I
8 would even be able to get a letter like that that's
9 addressed to somebody else.**

10 Q. Well, your mom is probably sending it to you.
11 Right?

12 **A. If she's sending it -- Only how she could send
13 it, if she could probably take the letter out unless she
14 put it inside another big envelope, but I don't think
15 they would let an envelope like that come inside the
16 jail like that.**

17 Q. So do you remember receiving this or you
18 don't?

19 **A. I don't remember seeing no envelope like this.**

20 Q. Okay. You don't remember.

21 And then just looking at the top here, I can
22 bring it closer if you want to look at it. You can
23 scroll down.

24 (Witness viewing document.)

Page 411

1 BY MS. ITCHHAPORIA:

2 Q. Okay. Have you had a chance to look at the
3 letter that we marked as Exhibit 10?

4 **A. Yes.**

5 Q. And do you recognize whose handwriting the
6 letter is?

7 **A. Yes.**

8 Q. Whose handwriting is it?

9 **A. Lamarius.**

10 Q. Okay. Do you remember receiving that letter?

11 **A. I think I did. I do. I think I do. From
12 what was being said, I think I probably remember.**

13 Q. Okay. Did you save all these letters and give
14 them to Jodi Garvey?

15 **A. I think I did end up giving it to her. And it
16 was more so just to show her --**

17 MR. RAUSCHER: Hold on. Don't talk about your
18 conversation --

19 **THE WITNESS: Oh, oh, oh, oh.**

20 BY MS. ITCHHAPORIA:

21 Q. All right. I'm going to show you Exhibit 11
22 to your deposition which for the record it's Bates
23 marked Robinson 1208 through 1212.

24

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1 (Robinson Deposition Exhibit No. 11
2 marked as requested.)

3 BY MS. ITCHHAPORIA:

4 Q. And the first page of it, it just says
5 Exhibit G. This was an exhibit that was attached to
6 your post-conviction petition.

7 Do you remember that?

8 **A. I don't know.**

9 Q. Okay. And then there's a note here that says,
10 send this to Baby Al, Tanya, thanks.

11 **A. Yes.**

12 Q. Do you see that?

13 **A. Yes.**

14 Q. Whose handwriting is that?

15 **A. Lamarius.**

16 Q. Lamarius.

17 And who's Tanya?

18 **A. My mother.**

19 Q. Oh, your mother's nickname -- LaTanya Fleming,
20 she goes by Tanya?

21 **A. Yeah.**

22 Q. And then here's a letter on this page of it.
23 I can bring it closer. Oh, sorry. You can scroll if
24 you need it.

Page 413

1 (Witness viewing document.)

2 BY THE WITNESS:

3 **A. Okay.**

4 Q. Whose handing do you recognize the letter to
5 be in?

6 **A. Lamarius.**

7 Q. Do you remember receiving this letter?

8 **A. I do.**

9 Q. Would you ever write him back when you were
10 getting these letters?

11 **A. As now as I'm remembering, I probably did. I
12 did probably.**

13 Q. I'm sorry?

14 **A. Yeah, I probably wrote him back a couple of
15 times.**

16 Q. You did?

17 **A. Yeah.**

18 Q. And what would you say to him?

19 **A. I don't know. I think whenever he was pretty
20 much -- it wouldn't really be nothing deep. It was
21 probably what was going on. Like he said, I sent him
22 pictures of my dad, his car before, stuff like that,
23 just regular conversations. I still felt a way about
24 him, but like I told you, I didn't hate him, though.**

Page 414

1 Q. Sorry?

2 **A. I said I told you -- I say I still felt a way**
 3 **about him, but I didn't hate him, though. And because I**
 4 **thought he was going -- manning up to his letter of**
 5 **saying what he did.**

6 Q. All right. I'm going to show you what we'll
 7 mark as Exhibit 12 to your deposition which is Bates
 8 marked Blegen SDT Respons 1686 through 1689.
 9 (Robinson Deposition Exhibit No. 12
 10 marked as requested.)

11 BY MS. ITCHHAPORIA:

12 Q. I'll just rotate it and I'll have to rotate it
 13 back. But looking at the first page of Exhibit 12 is an
 14 envelope.

15 Do you recognize the handwriting on that?

16 **A. Yeah.**

17 Q. And whose handwriting is it?

18 **A. Lamarius.**

19 Q. And this is a letter that Lamarius wrote to
 20 you when you were in Menard?

21 **A. Yes.**

22 Q. Do you remember receiving this letter from
 23 Lamarius when you were in Menard?

24 **A. I don't know what letter it is.**

Page 416

1 **it through people.**

2 Q. Who was his baby mama?

3 **A. I don know her real name. I can't remember**
 4 **it.**

5 Q. What was her nickname?

6 **A. Ju-Ju (phonetic.)**

7 Q. Ju-Ju. Okay.

8 Did he ever write any -- any letters to you
 9 other than the one we looked at earlier that we marked
 10 as Exhibit 7 saying that he did it?

11 **A. I don't know if -- if it's necessarily like**
 12 **a -- that he -- you could -- in the letters, you could**
 13 **inquire about what he was talking about inside the**
 14 **letter, but ...**

15 Q. Okay. One of the letters that we looked at,
 16 Lamarius told you, look, explain to MJ about everything
 17 you want and have her to come see me and tell me what
 18 everything is. All right?

19 And MJ would be referring to --

20 **A. Shanice.**

21 Q. -- Mama J?

22 **A. Uh-huh.**

23 Q. Okay. So he was telling you to tell Mama J
 24 everything you want him to testify to?

Page 415

1 Q. Okay. Do you remember receiving this
 2 envelope?

3 **A. I think I -- yeah.**

4 Q. And here's the letter, it's dated October 1st,
 5 2016.

6 Do you see that?

7 **A. Uh-huh.**

8 Q. Is that a yes?

9 **A. Yes.**

10 Q. Do you remember receiving a letter from
 11 Lamarius when you were in Menard?

12 **A. Yeah, I got a few letters, money sent, all**
 13 **those.**

14 Q. Okay. He would send you money as well?

15 **A. Uh-huh.**

16 Q. Is that a yes?

17 **A. Yes.**

18 Q. How do you know he's the one that was sending
 19 you money?

20 **A. Because it would come from people that, like,**
 21 **his baby mama.**

22 Q. Okay.

23 **A. Her name would be on it and stuff like that.**

24 **He didn't send it with his own name, but he would send**

Page 417

1 MR. RAUSCHER: Object to form.

2 BY THE WITNESS:

3 **A. I really don't know what -- exactly what he**
 4 **was saying, what he wanted from -- what he wanted me to**
 5 **tell her.**

6 Q. Did you ever have a conversation with Mama J
 7 while you were in Cook County Jail about what you
 8 wanted Lamarius to say if he took the stand at your
 9 trial?

10 **A. No. I wouldn't even know what to tell him,**
 11 **but to tell him just -- what it is I could tell him to**
 12 **say. Tell him you did it. That's the only thing I**
 13 **could tell you to say.**

14 Q. One of the letters, Lamarius says that he
 15 heard Oso got down on you, bro.

16 Do you know what that means?

17 **A. He talking about -- Oh, he talking about Oscar**
 18 **Russell?**

19 Q. Is that -- Was Oso another name for Oscar
 20 Russell?

21 **A. Yeah. Oso, O S O.**

22 Q. Yeah.

23 **A. Yeah, Oso.**

24 Q. That's what you sometimes called him?

Page 418

1 **A. Oso. O S O or Oso.**

2 Q. Oh, I see. Okay.

3 He said I thought -- I heard Oso got down on
4 you, bro, like, really made them people have a case, but
5 don't worry about him. And I heard the other dude
6 didn't really get down on you like that.

7 Do you know how Lamarius was hearing that
8 information?

9 **A. A lot of family members was there, so I don't**
10 **know exactly who he -- who -- who told him.**

11 Q. Okay. And then he says --

12 **A. Maybe his brother, so I don't know.**

13 Q. Bro, the reason I had pled the Fifth because
14 the PD told me that's the only way I can help you. He
15 said I would be involving myself in the case. He said
16 by me saying the Fifth, they couldn't use anything I
17 ever told them before, and the state would try and get
18 at me. They put -- They pulled me out of boot camp
19 'cause of that.

20 So he -- he's in this letter telling you that
21 he asserted his Fifth Amendment rights at your trial
22 because he didn't want the state to use his statements
23 implicating you in the murder against you at your trial.
24 Right?

Page 419

1 MR. RAUSCHER: Object to form.

2 BY THE WITNESS:

3 **A. I don't know what he's saying.**

4 Q. Okay. He also asked you if you could ever
5 find it in your heart to forgive a person for something
6 like this.

7 Did you ever tell him that you'd forgive him?

8 **A. I ain't never told him. I don't think I ever**
9 **told him that I'd forgive him.**

10 Q. He said, Bro, it's just I need a way to fight,
11 you know, and your lawyer was making it where if I --
12 let me try that again.

13 He said, Bro, it's just I need a way to fight,
14 you know, and your lawyer was making it where if I would
15 have done that, I wouldn't have none.

16 **A. He telling you --**

17 Q. Do you remember him saying that to you?

18 **A. I remember that letter. That's somebody**
19 **telling you I need a way to fight.**

20 Q. Were you aware that Lamarius wrote Quinton
21 Davis a letter?

22 **A. Yeah.**

23 Q. Have you seen that letter?

24 **A. Yeah. Yes, I -- yes.**

Page 420

1 Q. Quinton Davis showed it to you?

2 **A. No.**

3 Q. How have you seen the letter?

4 **A. It got sent to me.**

5 Q. Who sent it to you?

6 **A. I think it's somebody he -- They were sent**
7 **somewhere and they got -- it got sent to me.**

8 Q. Okay. In that letter, it says BA won't --
9 Lamarius is saying to Quinton that he admits to what he
10 did, but BA won't tell everybody the truth. He told
11 them people every move I even made out there.

12 Do you remember him saying that in the letter?

13 **A. Yeah, I remember him saying that.**

14 Q. And is he saying that you won't admit that you
15 told the police things that Lamarius was doing out in
16 the streets?

17 **A. Yeah, that's what he's saying.**

18 Q. And is that true that you told the police
19 about what Lamarius was doing on the streets?

20 **A. Not true.**

21 Q. Not true.

22 You didn't tell them about the stunt involving
23 Dre and pulling the gun?

24 **A. No.**

Page 421

1 Q. Lamarius in the letter says, they -- Q, they
2 was asking me about old moves and N word makes. How
3 would they know that. Then they started saying shit
4 about what happened with the other dude just and how I
5 got mad and made him park the car and walk over there
6 after that shit. Shit that you had to be there to
7 know.

8 So is it true that you started telling the
9 police first what Lamarius did?

10 MR. RAUSCHER: Object to form.

11 BY THE WITNESS:

12 **A. Not true.**

13 Q. Lamarius told Quinton that now don't get --
14 now don't get it twisted, bro, that shit wasn't right
15 what I did on him, but he was getting down on me, so I
16 had no choice.

17 Is that true?

18 MR. RAUSCHER: Object to form, foundation. If --
19 Sorry -- I think if you're going to go into this detail,
20 we really should get him a copy of the letter so he can
21 look at that.

22 BY MS. ITCHHAPORIA:

23 Q. Do you want to see the letter?

24 **A. Yeah.**

<p style="text-align: right;">Page 422</p> <p>1 MS. ITCHHAPORIA: Okay. We can take a break.</p> <p>2 We'll take a break.</p> <p>3 THE VIDEOGRAPHER: We are now off the record at</p> <p>4 5:36 p.m.</p> <p>5 (A short break was had.)</p> <p>6 THE VIDEOGRAPHER: We are back on the record at</p> <p>7 5:48 p.m.</p> <p>8 BY MS. ITCHHAPORIA:</p> <p>9 Q. Okay. And the court reporter has handed to</p> <p>10 you what we've marked as Exhibit 13 to your deposition.</p> <p>11 (Robinson Deposition Exhibit No. 13</p> <p>12 marked as requested.)</p> <p>13 BY MS. ITCHHAPORIA:</p> <p>14 Q. And the first couple pages are, like, an</p> <p>15 affidavit from Quinton Davis. Is that right?</p> <p>16 A. Yes.</p> <p>17 Q. And that was attached to your post-conviction</p> <p>18 petition?</p> <p>19 A. Yes.</p> <p>20 Q. And then in the affidavit, he refers to a</p> <p>21 letter that he received from Lamarius. Right?</p> <p>22 A. Yes.</p> <p>23 Q. And then the letter is attached?</p> <p>24 A. Yeah.</p>	<p style="text-align: right;">Page 424</p> <p>1 BY THE WITNESS:</p> <p>2 A. 1195.</p> <p>3 Q. It's kind of towards the -- like, towards the</p> <p>4 bottom. Now, don't get it twisted, bro. That shit</p> <p>5 wasn't right what I did on him, but he was getting down</p> <p>6 on me, so I had no choice.</p> <p>7 A. Do you know what line it is, so I can see it</p> <p>8 because it's --</p> <p>9 Q. It's closer to the bottom.</p> <p>10 A. To the -- To the bottom. Oh, I see. Okay.</p> <p>11 Now don't get it twisted, bro. That shit wasn't right</p> <p>12 what I did, but he was getting down on me, so I had no</p> <p>13 choice.</p> <p>14 (Witness viewing document.)</p> <p>15 BY THE WITNESS:</p> <p>16 A. Police telling me, like, just think we heard</p> <p>17 what happen at first with dude, you couldn't get him</p> <p>18 that five minutes later -- five minutes later. Wayne,</p> <p>19 Tells got it out of him, but he won't say it to nobody</p> <p>20 else. If I was dead wrong, Tells wouldn't have no</p> <p>21 respect for me anymore.</p> <p>22 Q. Yeah.</p> <p>23 When he says that you were getting down on</p> <p>24 him, do you know what he means?</p>
<p style="text-align: right;">Page 423</p> <p>1 Q. Okay. And do you recognize the handwriting</p> <p>2 in the letter that's attached to Quinton Davis's</p> <p>3 affidavit?</p> <p>4 A. Yes.</p> <p>5 Q. And whose handwriting is that?</p> <p>6 A. Lamarius.</p> <p>7 Q. Okay. And is this the letter that you said</p> <p>8 someone sent to you?</p> <p>9 A. Yes.</p> <p>10 Q. And you don't know how you got it?</p> <p>11 A. I don't remember, like, how it came to me --</p> <p>12 Q. Okay.</p> <p>13 A. -- but I don't remember, like, the exact</p> <p>14 person that sent it to me.</p> <p>15 Q. Okay. All right.</p> <p>16 So there was a -- one, two, three -- it was,</p> <p>17 like, on the third or fourth page is something about</p> <p>18 don't get it twisted, bro.</p> <p>19 A. Third page or fourth page?</p> <p>20 Q. Don't get it twisted, bro.</p> <p>21 MR. RAUSCHER: Do you have a Bates?</p> <p>22 MS. ITCHHAPORIA: Yeah, let me find it. It's Bates</p> <p>23 1195.</p> <p>24</p>	<p style="text-align: right;">Page 425</p> <p>1 A. I don't know what he talking about.</p> <p>2 Q. Okay. Do you take that to mean that Lamarius</p> <p>3 was saying that you were snitching on him first, so he</p> <p>4 had to tell the police on you?</p> <p>5 A. That's what I take of it.</p> <p>6 Q. Okay. Is that what happened?</p> <p>7 A. That's not what happened.</p> <p>8 Q. Okay. Then he says I told Tells and Wayne.</p> <p>9 Do you know who Wayne is?</p> <p>10 A. That's my uncle.</p> <p>11 Q. Your uncle. Okay.</p> <p>12 Is that Lamarius's uncle, too?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. He says Tells got it out of him, but</p> <p>15 he won't say it to nobody else.</p> <p>16 Do you know what Tells supposedly got out of</p> <p>17 you?</p> <p>18 A. I have no idea.</p> <p>19 Q. Did you tell Tells that you wrote the letter</p> <p>20 that we looked at before that was marked as Exhibit 7?</p> <p>21 A. Did I tell Tells that I wrote it?</p> <p>22 Q. Yeah.</p> <p>23 A. No.</p> <p>24 Q. The letter that has the circle where</p>

Page 426

1 supposedly he licked it, did you tell Tells that you
2 wrote that letter?

3 **A. Never told Tells that.**

4 Q. Okay. If you look on the next page where
5 you -- you said Tells wouldn't have no respect for me
6 anymore.

7 Do you see that?

8 **A. Yeah.**

9 Q. Then it says, Tells was even mad about the
10 letter stunt he did, but I told Tells don't be, let him
11 do what he gotta do. I know my kids, bro. I would
12 never go against him in a courtroom in front of no -- do
13 you know what that word is?

14 **A. Go against him in a courtroom in front of no**
15 **judge.**

16 Q. Oh, no judge. Okay.

17 Even if he trying to get me slam?

18 **A. Yeah.**

19 Q. Okay. He says here, Tells was mad about the
20 letter stunt that you supposedly did.

21 Do you know what letter stunt he's referring
22 to?

23 **A. He kind of -- Because I gave the letter to my**
24 **lawyer.**

Page 427

1 Q. Okay. So Tells was mad about that?

2 **A. Yeah.**

3 Q. Did Tells tell you that he was angry that you
4 gave Lamarius's letter to your lawyer?

5 **A. He didn't say it in that form. He was, like,**
6 **you didn't feel like you could just beat it without**
7 **giving the letter that he sent to you.**

8 Q. Okay. Then that -- the -- the letter goes on
9 to say, but all this comes back to him talking to those
10 hoes on the phone all day about that shit. He was
11 saying he did it, then saw he saying he didn't when the
12 heat got on.

13 Do you see that?

14 **A. I see it.**

15 Q. Were you initially telling women that you, in
16 fact, did shoot 13?

17 **A. Never told nobody that.**

18 Q. Do you know why Lamarius would say that?

19 **A. It's just him trying to make himself -- make**
20 **himself look -- look better for what he did wrong.**

21 Q. If you go to the next page.

22 **A. The next page? 97?**

23 Q. Says I touch.

24 **A. Yeah, I got it. I got it.**

Page 428

1 Q. Actually, no, it's the page before that. It's
2 a little before that. I think -- It says, I think he
3 may hate me now because I wouldn't say I wrote that
4 letter but want to try.

5 Do you see that?

6 **A. I think -- I see it.**

7 MR. RAUSCHER: It kind of cuts off.

8 **THE WITNESS: Yeah, yeah, I see it, though.**

9 BY MS. ITCHHAPORIA:

10 Q. So I think it says I think -- and I think he's
11 referring to you -- may hate me now because I wouldn't
12 say I wrote that letter, but want to try my best to show
13 him different, show him I still love him and bust that
14 demo out there soon, I touch.

15 Do you see that?

16 **A. Yeah.**

17 Q. Do you know what he means when he says bust
18 that demo out there?

19 **A. I don't have no idea.**

20 Q. Did he make any sort of rap or music about
21 this case in the shooting of 13?

22 **A. No.**

23 Q. No?

24 **A. He don't rap. He don't rap.**

Page 429

1 Q. Did he make up a song about --

2 **A. No.**

3 Q. -- this incident?

4 **A. No. Not that I know of.**

5 Q. So you don't know what bust that demo out of
6 here means?

7 **A. Bust that demo out of here. I'm trying to**
8 **see. Going to show him I still love him and bust that**
9 **demo out there.**

10 Q. Soon.

11 **A. That said there.**

12 Q. Okay. Bust that demo out there soon?

13 **A. Yeah. As soon as I touch -- I don't know what**
14 **he -- I honestly don't know. He all over the place. I**
15 **don't know what he mean.**

16 Q. Okay. All right. You can put that letter to
17 the side.

18 Did you ever get any sort of audio or video
19 recording of Lamarius telling you that he supposedly
20 shot 13?

21 **A. Did I get audio?**

22 Q. Yeah.

23 **A. No, I ain't never got no audio.**

24 Q. Or, like, video?

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1 **A. Do I have -- Like, have I ever gotten that**
 2 **from -- no, I never got that.**

3 Q. Did you try to get Quinton Davis to get his
 4 phone calls from jail where supposedly Lamarius told
 5 Quinton Davis that he shot 13?

6 **A. I don't know. I probably asked him did he**
 7 **ever have a con -- I probably -- I don't know. I -- In**
 8 **the county, I doubt -- I doubt -- I doubt that if I**
 9 **asked him to get --**

10 Q. Okay.

11 **A. -- get that.**

12 Q. Did Quinton Davis ever tell you that Lamarius
 13 told him when Davis was in county that Lamarius said he
 14 shot 13?

15 **A. When he was inside the county?**

16 Q. Yeah.

17 **A. I don't remember.**

18 Q. Okay. When was the last time you spoke to
 19 Mr. Piet?

20 **A. The last time?**

21 Q. Uh-huh.

22 **A. I think probably -- when I got my time.**

23 Q. Sorry?

24 **A. When I got my time.**

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1 Q. When you got sentenced?

2 **A. Yeah.**

3 Q. Did you ever get Mr. Piet's file as it relates
 4 to his representation of you from Mr. Piet?

5 **A. Did I ever get his -- his file?**

6 Q. Yeah.

7 **A. What you mean, like, the case, like, the**
 8 **discovery?**

9 Q. Yeah, everything.

10 **A. No, I never got that.**

11 Q. Did you ever make a request to Mr. Piet for
 12 his file?

13 **A. I never made a request.**

14 Q. Okay. And then you said you were represented
 15 by Tom Brandstrader on direct appeal?

16 **A. Yeah.**

17 Q. And then from direct appeal until Jodi
 18 represented you, did you ever file a post-conviction
 19 petition on your own behalf by yourself?

20 **A. No.**

21 Q. No. Okay.

22 And you said that your mom retained Jodi?

23 **A. Yes.**

24 Q. And she paid Jodi's bills?

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1 **A. Yes.**

2 Q. Were there -- Did you ever have -- Did
 3 Mr. Piet or -- We'll start with Mr. Piet.

4 Did Mr. Piet ever have an investigator working
 5 on your case for him?

6 **A. That, I do not know.**

7 Q. Okay. Do you know if Jodi Garvey had an
 8 investigator that was working on your case for her?

9 MR. RAUSCHER: I'm going to object to questions
 10 about how Jodi handled the case.

11 MS. ITCHHAPORIA: Basis, Counsel.

12 MR. RAUSCHER: Sorry, basis? Work product.

13 MS. ITCHHAPORIA: Okay.

14 MR. RAUSCHER: And potentially attorney-client
 15 privilege.

16 BY MS. ITCHHAPORIA:

17 Q. And I assume that you're taking the advice of
 18 your counsel and you're not going to answer that?

19 **A. Yeah.**

20 Q. Okay.

21 MS. ITCHHAPORIA: All right. I have nothing
 22 further at this time.

23 MR. BURNS: I have nothing. No questions.

24 MR. RAUSCHER: No, I don't either. Let's call it a

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1 day.

2 MS. ITCHHAPORIA: Yup.

3 MR. RAUSCHER: I think you're all done. Hold it.
 4 Sit tight for a second. Let him finish.

5 THE VIDEOGRAPHER: Do you want any transcript or
 6 video orders?

7 MR. RAUSCHER: Not for me.

8 MS. ITCHHAPORIA: I'll take the transcript.

9 Signature?

10 MR. RAUSCHER: We'll reserve.

11 THE COURT REPORTER: Would anyone like a copy?

12 MR. BURNS: Not right now, no.

13 THE VIDEOGRAPHER: We're now off the record at
 14 5:59 p.m. This concludes today's deposition.

15 (Witness excused.)

16

17

18

19

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23

24

1 WITNESS ERRATA SHEET
2 ALLEN ROBINSON,)
3)
4 Plaintiff,)
5 vs) No. 2023-CV-002724
6)
7 WAYNE FRANO, et al.,)
8)
9 Defendant.)
10 I wish to make the following changes for the
11 following reasons:
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13 Page Line
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22 Reason: _____
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24 Reason: _____

1 IN THE UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF ILLINOIS
3 EASTERN DIVISION
4 ALLEN ROBINSON,)
5)
6 Plaintiff,)
7)
8 vs.) No. 2023 CV 002724
9)
10 WAYNE FRANO, et al.,)
11)
12 Defendants.)
13
14 I, ALLEN ROBINSON, state that I have read the
15 foregoing transcript of the testimony given by me at my
16 videotaped deposition on the 20th day of August, A.D.,
17 2025, and that said transcript constitutes a true and
18 correct record of the testimony given by me at the said
19 deposition except as I have so indicated on the errata
20 sheets provided herein.
21
22 _____
23 ALLEN ROBINSON
24
25 SUBSCRIBED AND SWORN to
26 before me this _____ day
27 of _____, 2025.

1 Change: _____
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22 Reason: _____
23 (Signed) _____
24

1 UNITED STATES OF AMERICA)
2 NORTHERN DISTRICT OF ILLINOIS)
3 EASTERN DIVISION) SS.
4 STATE OF ILLINOIS)
5 COUNTY OF COOK)
6
7 I, Tara K. Stone, Certified Shorthand
8 Reporter, do hereby certify that ALLEN ROBINSON, was
9 first duly sworn by me to testify to the whole truth and
10 that the above videotaped deposition was reported
11 stenographically by me and reduced to typewriting under
12 my personal direction.
13 I further certify that the said deposition was
14 taken at the time and place specified and that the
15 taking of said deposition commenced on the 20th day of
16 August, 2025, at 10:00 a.m.
17 I further certify that I am not a relative or
18 employee or attorney or counsel of any of the parties,
19 nor a relative or employee of such attorney or counsel,
20 nor financially interested directly or indirectly in
21 this action.
22
23
24

Page 438

In witness whereof, I have hereunto set my
hand and affixed my seal of office at Chicago, Illinois,
this 4th day of September, 2025.

Tara K. Stone

TARA K. STONE, CSR

CSR No. 084-004902